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U.S.-- Philippine commission, 1899-1900.

REPORT

OF THE

PHILIPPINE COMMISSION

TO

THE PRESIDENT.

VOL. I.

JANUARY 31, 1900.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1900.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

REPORT OF A COMMISSION APPOINTED TO INVESTIGATE AFFAIRS IN THE PHILIPPINE ISLANDS.

FEBRUARY 2, 1900.—Read, referred to the Committee on the Philippines, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith, for the information of the Congress, a report of a commission appointed by me on January 20, 1899, to investigate affairs in the Philippine Islands.

WILLIAM MCKINLEY.

EXECUTIVE MANSION,
February 2, 1900.

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LETTER OF TRANSMITTAL.

WASHINGTON, D, C., *January 31st, 1900.*

To the PRESIDENT.

SIR: The undersigned, who were appointed by you in the month of January, 1899, to examine into the conditions existing in the Philippine Islands, have the honor to submit the following report. The preliminary report made by the Commission, of date November 2, 1899, is appended hereto as Exhibit I and made a part of this report.

As originally constituted, the Commission was composed of Jacob Gould Schurman, of New York; Maj. Gen. Elwell S. Otis, of the United States Army; Rear-Admiral George Dewey, of the United States Navy; Charles Denby, of Indiana; Dean C. Worcester, of Michigan, Commissioners. John R. MacArthur, of New York, was selected as Secretary and Counsel of the Commission, and Rutherford Corbin as Assistant Secretary.

On January 18, 1899, the civilian Commissioners met at Washington, received the President's instructions to the commission, a copy whereof is appended hereto as Exhibit II, and took the necessary steps to secure clerks and stenographers, and to form a preliminary organization. They then adjourned, with the understanding that they should proceed as quickly as possible to Manila, where their next meeting should be held.

In pursuance of that determination, the civilian members of the Commission, except Commissioner Denby, who was detained by public business, left America the latter part of January and reached Manila on the 4th of March, 1899. The last-named Commissioner arrived at Manila the 2d of April, 1899.

MEETINGS OF THE COMMISSION.

Rooms for offices were assigned to the Commission and its staff in the "Audiencia," a large building within the walled city near the headquarters of Major-General Otis and formerly used by the supreme court of the archipelago. In these rooms regular daily sessions of the Commission were held, witnesses examined, visitors received, and business transacted. The Commission also received visitors and attended to business at its residence in Malate, a suburb of Manila. The witnesses and visitors who came before the Commission, in and

out of session, at its office and at its residence, were natives from many parts of the archipelago and men of the various nationalities living in and doing business in the islands, to wit: American, Austrian, Belgian, Chinese, English, French, German, and Spanish. They were men of all classes, and among them the more leading and prominent men, bankers, brokers, merchants, lawyers, physicians, railroad men, shipowners, educators, and public officials, both under the Spanish and under the present American sovereignty.

The matters examined and testified about included almost every subject touching the islands—government; political, social, and racial questions; law; currency; the Chinese question; education; public lands; public property and institutions; church property; agriculture; forestry; meteorology; mines; railroads; commerce, etc. The opinions of witnesses were, in most instances, freely given and by them permitted to be taken and recorded. They will be found in the appendix of testimony printed with this report.

Much valuable information has also been derived from documents and papers, both public and private, in Spanish and Tagalog, and from the daily press in Spanish, Tagalog, and English. One of the chief sources, however, for the formation of the Commission's opinion has been the daily personal intercourse freely and constantly had with the people of the islands.

At the time of the appointment of the Commission hostilities had not begun between our forces at Manila and the insurgents. It was expected that one of the objects of our mission would be to facilitate the most humane and effective extension of our authority over the Philippine Islands, and to secure with the least possible delay to the people the benefits of a civil government.

We were directed to advise you of the necessary steps to be taken for the organization of a civil administration of government, and to recommend suitable persons for appointment to office.

The commencement and continuation of hostilities greatly interfered with the discharge of these specific duties.

As war existed, the military authority was supreme. We could not fail to acknowledge this supremacy, but at the same time we sought in every possible way consistent with our subordination to the military authority to bring about peace. Our efforts to conciliate the natives and to terminate hostilities are set forth in Part I.

JACOB GOULD SCHURMAN.
GEORGE DEWEY.
CHARLES DENBY.
DEAN C. WORCESTER.

JOHN R. MACARTHUR,
Secretary.

PART I.—EFFORTS OF THE COMMISSION TOWARD CONCILIATION AND THE ESTABLISHMENT OF PEACE.

At the time of the Commission's appointment peace existed in the islands. On the arrival of the civilian members in Manila hostilities had been in progress for a month. The Commission was not appointed as a "Peace Commission," as it has been often called. It was appointed as a civil Commission to accomplish the objects set forth in its instructions, one of which was to assist in the peaceful extension of American authority and the establishment of civil and peaceful government among the people. (Instructions, Exhibit H.) In pursuance of these instructions, and finding hostilities to exist, the Commission set to work to discover what it might do to help in bringing those hostilities to an end. Throughout its stay unremitting efforts in that direction were made along with its work on the other matters which had been intrusted to it. It early became convinced that the Tagalog rebellion was due to the ambitions of a few and the misunderstanding of the many. To clear away such misunderstanding, it issued, April 4, 1899, a proclamation to the people, as in its instructions it had been given power to do. In its English version the proclamation was as follows:

To the people of the Philippine Islands:

The treaty of peace between the United States and Spain, ratified several weeks ago by the former, having on March 20 been ratified by the latter, the cession to the United States, as stipulated by the treaty, of the sovereignty which Spain possessed and exercised over the Philippine Islands has now, in accordance with the laws of nations, received a complete and indefeasible consummation.

In order that the high responsibilities and obligations with which the United States has thus become definitively charged may be fulfilled in a way calculated to promote the best interests of the inhabitants of the Philippine Islands, His Excellency the President of the United States has appointed the undersigned a civil commission on Philippine affairs, clothing them with all the powers necessary for the exercise of that office.

The Commission desire to assure the people of the Philippine Islands of the cordial good will and fraternal feeling which is entertained for them by His Excellency the President of the United States and by the American people. The aim and object of the American Government, apart from the fulfillment of the solemn obligations it has assumed toward the family of nations by the acceptance of sovereignty

over the Philippine Islands, is the well being, the prosperity, and the happiness of the Philippine people and their elevation and advancement to a position among the most civilized peoples of the world.

His Excellency the President of the United States believes that this felicity and perfection of the Philippine people is to be brought about by the assurance of peace and order; by the guaranty of civil and religious liberty; by the establishment of justice; by the cultivation of letters, science, and the liberal and practical arts; by the enlargement of intercourse with foreign nations; by the expansion of industrial pursuits, trade, and commerce; by the multiplication and improvement of the means of internal communication; by the development, with the aid of modern mechanical inventions, of the great natural resources of the archipelago; and, in a word, by the uninterrupted devotion of the people to the pursuit of those useful objects and the realization of those noble ideals which constitute the higher civilization of mankind.

Unfortunately, the pure aims and purposes of the American Government and people have been misinterpreted to some of the inhabitants of certain of the islands. As a consequence, the friendly American forces have, without provocation or cause, been openly attacked.

And why these hostilities? What do the best Filipinos desire? Can it be more than the United States is ready to give? They are patriots and want liberty, it is said. The Commission emphatically asserts that the United States is not only willing, but anxious, to establish in the Philippine Islands an enlightened system of government under which the Philippine people may enjoy the largest measure of home rule and the amplest liberty consonant with the supreme ends of government and compatible with those obligations which the United States has assumed toward the civilized nations of the world.

The United States striving earnestly for the welfare and advancement of the inhabitants of the Philippine Islands, there can be no real conflict between American sovereignty and the rights and liberties of the Philippine people. For, just as the United States stands ready to furnish armies, navies, and all the infinite resources of a great and powerful nation to maintain and support its rightful supremacy over the Philippine Islands, so it is even more solicitous to spread peace and happiness among the Philippine people; to guarantee them a rightful freedom; to protect them in their just privileges and immunities; to accustom them to free self-government in an ever-increasing measure; and to encourage them in those democratic aspirations, sentiments, and ideals which are the promise and potency of a fruitful national development.

It is the expectation of the commission to visit the Philippine peoples in their respective provinces, both for the purpose of cultivating a more intimate mutual acquaintance and also with a view to ascertaining from enlightened native opinion what form or forms of government seem best adapted to the Philippine peoples, most apt to conduce to their highest welfare, and most conformable to their customs, traditions, sentiments, and cherished ideals. Both in the establishment and maintenance of government in the Philippine Islands it will be the policy of the United States to consult the views and wishes, and to secure the advice, cooperation, and aid, of the Philippine people themselves.

In the meantime the attention of the Philippine people is invited to

certain regulative principles by which the United States will be guided in its relations with them. The following are deemed of cardinal importance:

1. The supremacy of the United States must and will be enforced throughout every part of the Archipelago, and those who resist it can accomplish no end other than their own ruin.

2. The most ample liberty of self-government will be granted to the Philippine people which is reconcilable with the maintenance of a wise, just, stable, effective, and economical administration of public affairs, and compatible with the sovereign and international rights and obligations of the United States.

3. The civil rights of the Philippine people will be guaranteed and protected to the fullest extent; religious freedom assured, and all persons shall have an equal standing before the law.

4. Honor, justice, and friendship forbid the use of the Philippine people or islands as an object or means of exploitation. The purpose of the American Government is the welfare and advancement of the Philippine people.

5. There shall be guaranteed to the Philippine people an honest and effective civil service, in which, to the fullest extent practicable, natives shall be employed.

6. The collection and application of taxes and revenues will be put upon a sound, honest, and economical basis. Public funds, raised justly and collected honestly, will be applied only in defraying the regular and proper expenses incurred by and for the establishment and maintenance of the Philippine government, and for such general improvements as public interests may demand. Local funds, collected for local purposes, shall not be diverted to other ends. With such a prudent and honest fiscal administration, it is believed that the needs of the government will in a short time become compatible with a considerable reduction in taxation.

7. A pure, speedy, and effective administration of justice will be established, whereby the evils of delay, corruption, and exploitation will be effectually eradicated.

8. The construction of roads, railroads, and other means of communication and transportation, as well as other public works of manifest advantage to the Philippine people, will be promoted.

9. Domestic and foreign trade and commerce, agriculture, and other industrial pursuits, and the general development of the country in the interest of its inhabitants will be constant objects of solicitude and fostering care.

10. Effective provision will be made for the establishment of elementary schools in which the children of the people shall be educated. Appropriate facilities will also be provided for higher education.

11. Reforms in all departments of the government, in all branches of the public service, and in all corporations closely touching the common life of the people must be undertaken without delay and effected, conformably to right and justice, in a way that will satisfy the well-founded demands and the highest sentiments and aspirations of the Philippine people.

Such is the spirit in which the United States comes to the people of the Philippine Islands. His Excellency, the President, has instructed the Commission to make it publicly known. And in obeying this behest the Commission desire to join with his Excellency, the President, in expressing their own good will toward the Philippine people, and to extend to their leading and representative men a cordial invitation to meet them for personal acquaintance and for the exchange of views and opinions.

MANILA, *April 4, 1899.*

JACOB GOULD SCHURMAN,
President of Commission.
GEORGE DEWEY,
Admiral U. S. N.
ELWELL S. OTIS,
Major-General U. S. Volunteers.
CHARLES DENBY.
DEAN C. WORCESTER.

JOHN R. MACARTHUR,
Secretary of Commission.

Translations of this proclamation were made into Spanish, and into Tagalog and other dialects. An edition of some 25,000 copies was, by the courtesy and order of General Otis, affixed throughout the city and suburbs of Manila, carried to the provinces, and disseminated in the interior wherever possible. It attracted large attention of the natives within our lines. They gathered about the posters in groups while one of their number would read and explain. Other copies passed from hand to hand among the natives, receiving thereby much circulation and permeating in some cases, as we afterwards came to know, far beyond our lines into the interior. Nevertheless, so alert were the insurgents in arms to keep their people in ignorance of America's real purposes, so afraid were they of disaffection among their followers should their illusions and false understandings be dispelled, that orders were issued among them prohibiting the reading of the proclamation, and even prescribing in some cases, as it was stated, the penalty of death upon anyone found doing so. Within the city and suburbs of Manila agents and sympathizers of the insurgents were no less alert. They soon set to work systematically to efface and to destroy the proclamation wherever posted. In spite of this, it had a wide and continuing influence. It served as a general basis for this part of the Commission's work. It told to the Philippine people what they were in need of knowing, and, if little believed when issued, it came eventually to be taken as a general index of the beneficent government, the liberal and friendly dealing, and general treatment which they might expect under the sovereignty of the United States.

For the Commission it had the more immediate effect of bringing it into closer touch with an increasing number of the more leading Filipinos within our lines. Others came from without the lines, either upon their own responsibility or as undisclosed emissaries. Still others came as the direct and avowed representatives of the Tagalogs in arms. Many of these people came, either wholly distrustful or half doubting the professions made on paper, and desirous of seeing whether they would be borne out in personal interviews. Most of them, we believe, went away with a changed idea of America's purposes. Many of them were brought to a realization of the folly of resisting such purposes and of spurning the evident great advantages of American sovereignty and friendship, and many of them eventually became the Commission's strongest friends and supporters in the islands.

One of the more or less immediate effects of the proclamation of April 4 was the coming, at the end of that month, of an emissary, Colonel Arguelles, from the insurgent ranks. He stated to the Commission that those whom he represented had been considering the proclamation of the Commission and had come to ask a suspension of hostilities, in order that they might have a period of quiet in

which to discuss among themselves and among their people the advisability of seeking terms of peace, and coming to an understanding as to the form of government and the rights and privileges which would be secured them according to the spirit and words of the proclamation. On the matter of a suspension of hostilities, he was told that the Commission had no power; that such matters were wholly in the hands of General Otis, to whom alone such requests should be addressed.

He then asked the Commission to urge General Otis to grant such suspension. The Commission explained that it could not do this. It should be added, however, that there was a complete suspension of hostilities on our side so long as the emissary remained within our lines; and a like rule was observed upon the coming of subsequent emissaries.

At the several interviews had with this emissary at this time there was described to him the purpose and feeling of America toward the Philippine people, and the liberal character of government which might be expected in the Archipelago. Various plans of government, the views of the Commission thereon, and the ideas of the Philippine people were also discussed at large, and the emissary was entreated to urge upon those whom he represented that they should lay down arms and confer with the Commission in regard to the preparation of an organic law for the government of the islands. He left, and a few days later again returned, in company with another, one Captain Zialcita. He had reported to Aguinaldo, he said, the substance of the previous interview, and they had returned for further conference. They bore letters to the Commission, which will be found printed as Exhibit III.

Again an armistice was asked. There were reasons for believing that on the train that had brought Arguelles a secret emissary of the insurgents had also come to Manila, on his way to foreign parts to buy arms. No formal armistice was granted, but in fact a suspension of hostilities was observed as before.

With these two emissaries long interviews were had, in which every phase of the situation that could occur to either side was brought up and discussed, clearly, frankly, amicably. One matter, however, they were told could not be discussed; that was the sovereignty of the United States. That matter, it was said, had been already settled by the treaty of Paris, and being so settled was a fact which was now beyond the realm of profitable discussion.

Speaking of the matter of independence, the Commission pointed out that by the ninth article of the Treaty of Paris it was provided that the civil rights and political status of the native inhabitants were to be determined by Congress. They were told that, after a careful consideration and study, it was the opinion of the Commission that the Philippine people were not capable of independent self-government,

and that independence, for which some of them said they were fighting, was, in the opinion of the Commission, an ideal at present impossible, not only because of their unfitness for it, but because of their inability to preserve it among the nations even if it were granted. Arguelles said they were beginning to realize this fact; that, moreover, no nation had been willing to recognize them as independent or as belligerent; and thereupon he stated that he was authorized to say, on behalf of Aguinaldo, that they were not fighting for the sovereignty of the islands, but for the honor of the army. Being asked, "You accept, then, the sovereignty of the United States?" he replied, "Yes, we do." Being asked if he was duly authorized to make that statement also, he replied that he was.

Further discussing the situation, he said that the promises which had already been made to the Philippine people by the American Government in the earlier proclamations issued, and in the proclamation of the Commission of April 4, would be in large measure satisfactory to the Philippine people, could those promises be in some way accompanied with an assurance of their fulfillment, and had their details been made more clearly known; that in their general outlines they were good, but so long as they existed as matters of promise merely they could not gain with the Philippine people that confidence to which perhaps they were entitled; that of promises merely the Philippine people had learned, with reason, to be distrustful. He asked, therefore, for a clearer statement of the form of government designed for the islands. He was told that it remained for Congress to finally determine the form of government to be provided by the United States; that in the meantime, and until the action of Congress, the matter lay with the President, and that the commission had been sent, among other purposes, to study, and to report to the President its views and recommendations on the matter. It was suggested that it would have been premature for the Commission to have announced, on its arrival and in its proclamation, a fixed and definite form of government; that it would not have been in keeping with the spirit of American purpose, which was to consult the people as far as possible. He was told that the commission had given the subject much consideration, however, and wished to consult and confer with the representatives of all the people, even the Tagalogs, if they would lay down their arms and enter into conference in the spirit of friendship in which the Americans came. Nevertheless, the Commission said, it would set forth to him the general plan which it then entertained.

Upon this being done Arguelles showed satisfaction, and wished to know if he might announce it to those whom he represented, saying he thought that in the main it would meet much approval. The Commission replied that it had not been submitted to the President, and could not, therefore, be announced as a form which the United States

was willing to adopt; but he was told he could report all that had transpired, and that in the meantime the Commission would communicate with the President.

Arguelles left. The Commission at once, and on May 4, 1899, communicated with the Secretary of State and laid before him and the President the plan of government outlined to Arguelles, which was in substance that which was authorized in the President's reply, as follows:

WASHINGTON, *May 5, 1899*—10.20 p. m.

SCHURMAN, *Manila:*

Yours 4th received. You are authorized to propose that under the military power of the President, pending action of Congress, government of the Philippine Islands shall consist of a Governor-General appointed by the President; cabinet appointed by the Governor-General; a general advisory council elected by the people; the qualifications of electors to be carefully considered and determined; and the governor-general to have absolute veto. Judiciary strong and independent; principal judges appointed by the President. The cabinet and judges to be chosen from natives or Americans, or both, having regard to fitness. The President earnestly desires the cessation of bloodshed, and that the people of the Philippine Islands at an early date shall have the largest measure of local self-government consistent with peace and good order.

HAY.

As a result of the interviews with Arguelles, and of his reports to the insurgents of what had taken place, there was sent to Manila in the latter part of May another body of emissaries from Aguinaldo. They were Señor Gracio Gonzaga, Señor Barretto, General Gregorio del Pilar, and Captain Zialcita. Arguelles, whom the Commission had expected to return, was not among them. It appears that on account of views expressed by him after his former visits to the Commission, he was charged with having become an Americanista, imbued with American ideas, and favoring peace. Accordingly, by military order, he was stripped of his shoulder straps, was expelled from the army, and sentenced to twelve years' imprisonment.

The emissaries mentioned arrived on the 19th day of May, 1899. They had with the Commission two long interviews of several hours each. They said they had come with larger powers than Arguelles had had, in order to confer with the Commission, and to further study and discuss the possibilities of peace, the form of the ultimate government which might in future be proposed, and the attitude of the United States with respect to reforms and other matters fundamentally concerning them. Much of the matter gone over with Arguelles and all phases of the situation were again discussed with them in a cordial, frank, and friendly manner. The proposed plan of government authorized by the President was announced and laid before them, and each of its features separately discussed.

During the whole of this meeting with these emissaries there were lying before them printed copies, in English, Spanish, and Tagalog,

of the Commission's proclamation of the 4th of April, hereinbefore set out. This proclamation was taken up by them, and was gone over minutely sentence by sentence, and we were asked frequently to explain what was meant by certain phrases. We fully explained the meaning of each sentence that was inquired about. The contents of the proclamation were thoroughly approved and no objections were made to them.

After this full explanation and consideration of the proclamation, these gentlemen suggested to us that it would be very disagreeable to the army to have to lay down their arms before anything could be done; and they inquired whether an arrangement could be made by which we could take over the Filipino army into our military service. It was answered by one of the Commission that no doubt some of the regiments might be taken into the service of the United States, but that it was not possible that the whole army could be so employed. It was then suggested by another member of the Commission that work might be found for the soldiers in building roads or in other public works, which would enable them to support themselves.

Before these emissaries left the civilian members of the Commission expressed to them their very great desire to have an interview with Aguinaldo himself, in order to discuss with him personally the matters discussed with them, or any other matters that might conduce to peace. It informed them that the Commission would meet him at such suitable place as he might appoint, or that they would receive him in Manila, assuring him a safe conduct from the military authorities. It further informed these gentlemen that the Commission would, at any time, see any other emissaries that might be sent to confer with the Commission. The emissaries promised to consider all these questions, and agreed that they would come again in three weeks; but they never returned.

PART II.—THE NATIVE PEOPLES OF THE PHILIPPINES.

The most diverse and contradictory statements are frequently met with concerning the inhabitants of the Philippine Islands, at present collectively known as "Filipinos." Some writers credit them with a high degree of civilization, and compare them to the Pilgrim Fathers or the patriots of '76, while others regard even the more highly civilized tribes as little better than barbarians. The total number of inhabitants has been estimated at all the way from 6,000,000 to 12,000,000.

It is not purposed to here go into a detailed discussion of the several tribes, their physical characteristics, their manners, customs, laws, etc. These subjects are reserved for Volume II of this report; but a few general statements may to some extent reconcile views which are apparently contradictory, or may at least show on what foundation they rest.

The inhabitants of the Philippines belong to three sharply distinct races—the Negrito race, the Indonesian race, and the Malayan race.

It is universally conceded that the Negritos of to-day are the disappearing remnants of a people which once populated the entire archipelago. They are, physically, weaklings of low stature, with black skin, closely-curling hair, flat noses, thick lips, and large, clumsy feet. In the matter of intelligence they stand at or near the bottom of the human series, and they are believed to be incapable of any considerable degree of civilization or advancement.

Centuries ago they were driven from the coast regions into the wilder interior portions of the islands by Malay invaders, and from that day to this they have steadily lost ground in the struggle for existence, until but a few scattered and numerically insignificant groups of them remain. As a rule they are to be met with only on the forest-clad sides of the higher mountains of Luzon, Panay, Negros, and Mindanao; although in the northeastern part of Luzon they are said to still inhabit the wooded lowlands near the coast. They lead a nomadic life, wandering almost naked through the forests, and living on fruits, tubers, and such game as they can bring down with their bows and poisoned arrows. It is believed that not more than 25,000 of them exist in the entire archipelago, and the race seems doomed to early extinction. Within a comparatively short time it has completely dis-

appeared from several of the islands which it formerly inhabited, and it is said that the birth rate is now considerably below the death rate.

So far as is at present known, the Philippine tribes belonging to the Indonesian race are confined to the great island of Mindanao, the surface of which constitutes about one-third of the total land area of the archipelago. It is possible that a more careful study of the wild peoples of North Luzon will show that here also there exist Indonesian tribes, or tribes showing evidences of Indonesian origin; but this is a question which remains to be determined.

The Philippine representatives of this race are physically superior not only to the Negritos, but to the more numerous Malayan peoples as well. They are tall and well developed, with high foreheads, aquiline noses, wavy hair, and often with abundant beards. The color of their skins is quite light. Many of them are very clever and intelligent. None of the tribes have been Christianized. Some of them have grown extremely fierce and warlike as a result of their long struggle with hostile Malayan peoples. Others, more happy in their surroundings, are pacific and industrious.

The great majority of the inhabitants of the Philippines are of Malayan extraction, although the race is not found pure in any of the islands, but is everywhere more or less modified through intermarriage with Chinese, Indonesians, Negritos, Arabs, and, to a limited extent, Spaniards and other Europeans.

The individuals belonging to these Malayan tribes are of medium size, with straight black hair. As a rule the men are beardless, and when they have a beard it is usually straggling, and appears late in life. The skin is brown and distinctly darker than that of the Indonesians, although very much lighter than that of the Negritos. The nose is short and frequently considerably flattened.

The representatives of these three races are divided into numerous tribes, which often differ very greatly in language, manners, customs, and laws, as well as in degree of civilization. In numerical importance they range from the Visayans, numbering more than 2,600,000, to the Calanganes, of whom but a bare 300 remain. The greater part of the tribes are wild and pagan, but the civilized and Christianized peoples, although few in number, include the majority of the inhabitants.

That the Filipinos do not constitute "a nation," or "a people," will appear from the perusal of the following table, which gives the names of the various tribes so far as known, the regions which they respectively inhabit, and, where practicable, an estimate of the number of individuals composing each.

It may seem strange that in some instances the same name should appear repeatedly in the list of tribes. The explanation is that in different localities very distinct people sometimes bear the same appel-

lation. There is almost nothing in common, for instance, between the Manguiánes of Mindoro and the tribe known under the same name in the island of Sibuyan, while many of the Negrito tribes are so little known that it is impossible to say even whether they are of pure blood or greatly modified by intermarriage with other peoples.

Tribe, number, and habitat.

THE NEGRITO RACE.

Local name of tribe.	Number.	Habitat.
1. Aetas	(?)	Pangasinan (Luzon).
2. Aetas	(?)	Zambales (Luzon).
3. Attas	(?)	Province of Cagayan, in Luzon, and the eastern mountain chain down to the Pacific coast.
4. Buquiles	(?)	Mindoro.
5. Buquiles	(?)	Zambales (Luzon).
6. Mamánuas	3,000	Shores of Mainit Lake; peninsula of Surigao, and the coast mountain chain on the Pacific down to Tago (Mindanao).
7. Manguiánes	(?)	Mindoro (part).
8. Manguiánes	(?)	Tablas and Sibuyan (part).
9. Manguiánes	(?)	Masbate (part).
10. Manguiánes	(?)	Ticao (part).
11. Negritos	(?)	Province of Bataan, island of Luzon.
12. Negritos	(?)	Vicinity of Pilig, Albay Province, southeast Luzon.
13. Negritos	(?)	North Ilocos (Luzon).
14. Negritos	(?)	South Ilocos (Luzon).
15. Negritos	(?)	Tayabas (Luzon).
16. Negritos	(?)	North Camarines (mountains of Capalonga, Mambulag, Paracale, Bacod, etc.) (Luzon).
17. Negritos	(?)	Nueva Ecija (Luzon).
18. Negritos	(?)	Iloilo (Panay).
19. Negritos	(?)	Negros.
20. Negritos	(?)	Vicinity of Iriga (south Camarines) (Luzon).
21. Negritos	(?)	Albay (Luzon).
Total	25,000 (?)	

THE INDONESIAN RACE.

(Confined to Mindanao.)

1. Atás	21,000 (?)	In the regions near Mount Apo, on the western and northwestern sides.
2. Bagóbos	12,000	Foothills of Mount Apo (east and south).
3. Bilanes	1,500	Two of the Sarangani Islands and the eastern part of Lake Buluan.
4. Calanganes	300	Gulf of Davao.
5. Dulanganes	(?)	The forests and mountains distant some 45 miles from Tamontaca toward its southeast coast.
6. Guiangas	6,400	Eastern and southern slopes of Mount Apo.
7. Mandayas	30,000	The valley of the river Salug and the eastern coast of Mindanao from Tandag to Matti; very numerous.
8. Manguangas	(?)	The left-hand tributaries of the river Salug.
9. Manobos	20,000	Very numerous in the valley of the river Agusan. In much smaller numbers to the northward of the Bay of Malalag, Gulf of Davao, and on Cape St. Augustine and in the district of Cottabato.
10. Montéses	25,000	Between Gimgog and Nasipit and in the mountains and valleys of Tagoloan.
11. Sámales	1,000	Island of same name in the Gulf of Davao.
12. Subanos	70,000 (?)	Kingdom of Sibuguey.
13. Tagabauas	30,000 (?)	North shore of the Gulf of Davao.
14. Tagabelíes	10,000 (?)	To the east of Lake Buluan.
15. Tagacaolos	14,000	Malalag and the mountains of Aguimintan and the farther coast of St. Augustine.
16. Tirurayes	10,000	In the mountains to the left of the Rio Grande.

Tribe, number, and habitat—Continued.

THE MALAYAN RACE.

Local name of tribe.	Number.	Habitat.
1. Abunlon	(?)	Zambales (Luzon).
2. Adaugtas	(?)	The extreme north of the cordillera of the western Caraballos (Luzon).
3. Allabanes	(?)	Panay.
4. Apayaos	3,000 (?)	From North Ilocos to the highest part of the Grand Cordillera (Luzon).
5. Aripas	1,000 (?)	Neighborhood of Tabang (Luzon).
6. Attas	(?)	The forests of south Camarines (Luzon).
7. Balugas	3,000 (?)	Eastern Cordillera of Nueva Ecija, Tayabas, and Zambales, eastern mountains of the North and South Ilocos provinces (Luzon).
8. Bícoles	518,100	Albay, Ambos Camarines, and a part of Tayabas (Luzon).
9. Bulalacaunos	(?)	North of Palawan and Calamianes group.
10. Buquils	(?)	Mindoro, in the neighborhood of Baco and Subaan.
11. Buriks	(?)	Western slope of the eastern Caraballos, district of Lepanto (Luzon).
12. Búsaos	(?)	Near Benang, to the north of the Buriks (Luzon).
13. Cagayans	166,300	Provinces of Cagayan and Isabela (Luzon).
14. Calauas	(?)	Malaueg, valley of the river Chico on the side of Itaves.
15. Calibuganes	(?)	Gulf of Sibugey (Luzon).
16. Calingas	(?)	To the north of the Calauas, between the Rio Grande of Cagayan and the Abulog or Apayao (Luzon).
17. Catalanganes	3,000 (?)	Eastern branch of the river Ilagan (Luzon).
18. Catatangas	(?)	Panay.
19. Cimarrones	(?)	South Camarines, Isarog Mountain (Luzon).
20. Dumagas	(?)	From Baler and Casiguran to the north coast of the Pacific side of Luzon.
21. Gaddanes	10,000 (?)	From the river Gadet to the river Chico of Cagayan. They live to the north of the Ifugaos (Luzon).
22. Guianganes	(?)	Nueva Vizcaya (Luzon).
23. Guinaanes	6,000 (?)	Province of Abra (Luzon).
24. Ibilaos	4,000 (?)	Neighbors of the Ilongotes (Luzon).
25. Ifugaos	23,000 (?)	Missions of Ituy and Panigui, eastern Caraballos (Luzon).
26. Igorrotes	(?)	Mount Irriga, provinces of South Camarines, Abra, Pangasinan, Nueva Vizcaya, Zambales, Panpanga, etc. (Luzon).
27. Ilocanos	441,700	North and South Ilocos (Luzon).
28. Ilongotes	4,000 (?)	South Caraballo and Caraballo of Baler; Casiguran, in the district of Principe (Luzon).
29. Irayas	3,000 (?)	Banks of the River Ilaron, eastern slopes of Sierra Madre, on the side of Nueva Vizcaya, Isabela, and Cagayan (Luzon).
30. Isinayes	4,000 (?)	Panay.
31. Itetapaanes	(?)	To the east of the Busaos, bounded on the south by the Igorrotes of Benguet and on the north by the Guianes (Luzon).
32. Manguianes	(?)	Mindoro, between Abra, Ilog, and Pinamalayan.
33. Manguianes	(?)	Mindoro, to the south of Pinamalayan and the Island of Sibuyan.
34. Moros	100,000	The Sulu Archipelago.
35. Moros	.....	The Mohammedans from Baguan, near the Gulf of Mayo northward to Daron to the south of Davao (Mindanao
36. Moros	(?)	The Rio Grande, Malanao, and Illana Bay (Mindanao)
37. Pampangas	337,900	Pampanga (Luzon).
38. Pangasinanes	365,500	Pangasinan (Luzon).
39. Sámales Lauts	(?)	Coast region of Basilan.
40. Sánguiles	(?)	Northeast of Sarangani (Mindanao).
41. Tagalogs	1,663,900	Manila and the center of Luzon.
42. Tagbanúas	(?)	Islands from Palawan to the Calamianes.
43. Tandolanos	(?)	Eastern coast of Palawan.
44. Tinguianes	16,000 (?)	The Cordillera of Tila, district of Lepanto, and the province of Abra (Luzon).
45. Tinitianos	2,500	Eastern part of Palawan.
46. Visayas	2,601,600	Visayan Islands and some towns on the coast of Mindanao.
47. Yacanes	(?)	Interior of Basilan.

Total tribes, 84.

It will be noted that the information as to the number of individuals constituting these various tribes is extremely incomplete, and it is to be feared that even such figures as are obtainable are far from reliable. It is extremely difficult to arrive at anything approaching a correct estimate of the numbers of even the more important civilized tribes. Considerable differences exist between the statements of different authorities as to populations of those provinces which are best known,

while the Spanish official statistics are notoriously unreliable. Such estimates as exist as to the numerical importance of the various wild tribes are at the best mere guesses.

In attempting to determine the numbers of the different civilized peoples one meets the further obstacle that many provinces are inhabited in part by Christians and in part by savages. In some instances the populations given for these regions are manifestly intended to include the wild as well as the civilized inhabitants, but there is no means of telling how many fall under the one head and how many under the other. In other cases it is expressly stated that the uncivilized natives are not included, and oftener yet there is no statement at all on the subject, so that one is left in doubt.

These difficulties are met with chiefly in the island of Luzon, and are due to the presence there of six civilized tribes, as well as very numerous wild tribes. In estimating the population the plan has been followed of assigning to each of these several civilized tribes all of the inhabitants given for those provinces where it is known to predominate. In some provinces, however, it is impossible to follow this course, as representatives of several of the civilized tribes occur, and there is no way of determining in what proportions. It will be found, therefore, that the summary of population by tribes falls below the summary which takes into consideration only the total number of inhabitants recorded for each province, district, or comandancia; the latter total, according to the statistics which have been followed in this report, is 6,709,810. Any estimate of the total population must manifestly depend on the number of inhabitants assigned to the various wild tribes, of which there are no less than 69.

For the purposes of this report the commission has adopted as the total figure 8,000,000, considering this a conservative estimate. Baranera, whose figures are believed to be carefully prepared, places the total at 9,000,000.

The extent of territory occupied in whole or in part by each of the more important civilized tribes can be estimated with a greater degree of accuracy, and is approximately as follows:

Tribe.	Approximate number of individuals.	Territory occupied.
		Square miles.
Visayans	2,601,600	28,100
Tagalogs	1,663,900	15,380
Bicols	518,100	6,900
Ilocanos	441,700	6,170
Pangasinans	365,500	1,950
Pampangas	337,900	1,950
Moros	268,000	12,860
Cagayans	166,300	11,050

All of these peoples, although ignorant and illiterate, are possessed of a considerable degree of civilization, and, with the exception of the Mohammedan Moros, are Christianized.

Of the wild tribes in general it may be said that while many of them are pacific and quite harmless so long as they are decently treated, not a few are decidedly the reverse. Head-hunting is practiced by several of the peoples of North Luzon, some of whom have even been accused of eating portions of the bodies of their victims. A considerable number of the wild tribes not only practice polygamy but take and keep slaves. Human sacrifices are indulged in by at least two of the tribes in the interior of Mindanao. It should be clearly borne in mind, however, that the whole number of individuals included in the group of wild peoples is far below that composing the comparatively few civilized tribes.

The majority of the inhabitants of the Philippines, then, are possessed of a considerable degree of civilization. Since their good qualities, no less than their shortcomings and deficiencies, are enumerated and discussed elsewhere in this report, it is not necessary to repeat them here.

A clear idea of the distribution of the various peoples, and of the relative importance and whereabouts of the areas inhabited by Christians, Mohammedans, and Pagans, may be gained by examining the ethnographic map in the atlas illustrating this report, which will shortly appear as a bulletin of the Coast and Geodetic Survey.

PART III.—EDUCATION.

It is evident that the fitness of any people to maintain a popular form of government must be closely dependent upon the prevalence of knowledge and enlightenment among the masses. It is, therefore, of great importance that a clear understanding of the state of educational work in the Philippines should be reached, especially as there is much popular misapprehension on this subject.

The only educational advantages attainable by the common people of the archipelago are those afforded by the primary schools. The Spanish regulations provided that there should be one male and one female primary school teacher for each 5,000 inhabitants, instruction being given separately to the two sexes.

This wretchedly inadequate provision was, as a matter of fact, never carried out, as will appear from the following table:

Table showing the relation between number of primary school-teachers and population in the several provinces, districts, and comandancias of the Philippine archipelago.

Name.	Population.	Teachers.		Number of each sex required by law.
		Male.	Female.	
Abra	49,700	11	11	10
Albay	148,425	17	25	30
Ambos Camarines	165,504	43	42	33
Amburayan	30,150	8	5	6
Apayaos	16,000			3
Antique	114,483	19	20	22
Balabac	1,100			1
Baras	(?)			(?)
Basilan	12,000	1	1	2
Bataan	52,000	12	11	10
Batanes	9,475	7	7	2
Batangas	312,192	16	15	62
Benguet	15,932	4	3	3
Binatangan	5,000			1
Bohol	248,000	29	27	50
Bongao	217			1
Bontoc	14,745	5	2	5
Bulacan	230,000	22	22	46
Burias	1,753	1	2	1
Butuan	16,246	3	3	3
Cabugoan	(?)			(?)
Cagayan	96,357	20	17	15
Calamianes	16,380	3	3	3
Cápiz	128,006	33	29	26
Catanduanes	35,633	8	7	7
Cavite	132,567	5	12	27
Cayapa	1,854			1
Cebu	504,076	48	43	101
Concepcion	19,602	10	10	4
Corregidor	575	1	1	1
Cottabato	3,048	3	3	1

Table showing the relation between number of primary school-teachers and population in the several provinces, districts, and comandancias of the Philippine archipelago—Cont'd.

Name.	Population.	Teachers.		Number of each sex required by law.
		Male.	Female.	
Dapitan	12,615	6	6	3
Davao	14,000	22	20	3
Illana	(?)	.....	.....	(?)
Ilocos Norte	156,700	15	15	31
Ilocos Sur	172,836	44	31	35
Iloilo	472,798	38	38	95
Infanta	10,100	2	1	2
Isabela de Luzon	54,026	13	4	11
Itaves	15,208	.....	.....	3
Laguna	177,000	28	29	35
Lanao	(?)	.....	.....	(?)
Lepanto	16,160	10	6	3
Levac	(?)	.....	.....	(?)
Leyte	270,491	46	47	54
Malabang	(?)	.....	.....	(?)
Manila	500,000	41	38	100
Masbate	19,517	10	10	4
Matti	16,180	7	7	3
Mindoro	172,711	13	8	35
Misamis	113,695	27	28	23
Morong	42,083	15	11	8
Negros (eastern)	94,782	23	23	19
Negros (western)	296,995	28	28	60
Nueva Ecija	155,000	24	17	31
Nueva Vizcaya	17,039	8	8	3
Palawan	50,000	3	1	10
Pampanga	222,932	29	25	45
Pangasinan	30,400	29	29	61
Principe	11,000	3	2	2
Quiangan	29,800	1	1	6
Reina Regente	(?)	.....	.....	(?)
Romblon	38,000	12	13	7
Samar	200,753	38	40	40
Sarangani Bay and islands	(?)	.....	.....	(?)
Siassi	12,269	.....	.....	3
Sorsogon	98,650	13	15	20
Sulu	17,000	1	1	3
Surigao	95,222	29	30	19
Tarlac	115,000	16	14	23
Tataan	2,500	.....	.....	1
Tayabas	105,576	20	19	21
Tiagan	6,830	5	5	1
Tukuran	(?)	.....	.....	(?)
Union	105,135	13	13	21
Zambales	86,641	25	14	17
Zamboanga	21,364	5	5	4
Total	6,709,810	991	923	1,342

From these figures it appears that the number of teachers of each sex required by law for a population of 6,709,810 is 1,342, making a total of 2,684 teachers, whereas there are in reality but 991 male teachers and 923 female teachers, giving a total of 1,914. Disregarding the question of sex, we see that while there should be one teacher for each 2,500 inhabitants, there is in reality but one to each 3,500, even if we include only that portion of the population sufficiently civilized to be taken account of in the above enumeration. Taking the entire population at 8,000,000, we find that there is but one teacher to each 4,179 individuals.

Examination of the above table further shows that in many instances the lack of teachers is greater in those provinces which are most thickly populated and whose people are most highly civilized.

In order to ascertain the exact nature of this deficiency with a view to suggesting a suitable remedy for it, a second table has been pre-

pared, giving in alphabetical order the pueblos or townships of the Philippines, with the number of inhabitants of each, when known, and the number of male and female teachers employed in the primary schools in the year 1898.

The province, district, or comandancia in which each township lies is also given.

While this list is primarily intended for use in the discussion of existing educational conditions, it will also be found of value to those who desire to learn the importance of any given town, or to ascertain where it is situated.

Capitals of provinces, districts, or comandancias are italicized.

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Abra de Ilog	Mindoro	1,272	.....	.....
Abucay	Bataan	7,185	1	1
Abulug	Cagayan	5,880	2	1
Abuyog	Leyte	9,112	1	1
Agno	Zambales	5,002	1	1
Agoo	Union	10,150	1	1
Aguilar	Pangasinan	4,412	1	1
Agusan	Misamis	934	1	1
Agutaya	Calamianes	2,046	1	1
Ajuy	Concepción	1,000	2	2
Alaminos	Laguna	4,600	1	.....
Do	Zambales	8,008	1	1
Alangalang	Leyte	8,602	1	1
Aláva	Pangasinan	6,100	1	1
Albay	Albay	34,000	1	2
Alberique	Davao	.....	1	1
Albuera	Leyte	4,555	1	1
Alburquerque	Bohol	6,604	1	1
Alcalá	Cagayan	5,471	1	1
Do	Pangasinan	8,624	1	1
Alcántara	Cebu	4,080	1	1
Alcoy	.....do	5,040	.....	.....
Alegría	.....do	11,460	1	1
Alfonso	Cavite	7,660	.....	.....
Alfonso XIII	Tayabas	.....	.....	.....
Aliaga	Nueva Ecija	17,000	1	1
Alimodian	Iloilo	11,837	1	.....
Almeria	Leyte	3,216	1	1
Aloguinsan	Cebu	8,993	.....	.....
Aloran	Misamis	2,700	1	1
Alós	Zambales	894	1	.....
Alubijid	Misamis	6,716	1	1
Amadeo	Cavite	3,873	.....	.....
Amblan	Negros (Eastern)	5,500	1	1
Amulung	Cagayan	.....	1	1
Ananao	Tiagan	.....	1	1
Anao	Tarlac	7,000	1	1
Anao-aon	Surigao	602	.....	1
Anda	Bohol	4,036	.....	1
Do	Zambales	3,761	1	.....
Angadanan	Isabela de Luzon	2,739	1	1
Angat	Bulacan	8,050	1	1
Angeles	Pampanga	3,000	1	1
Angono	Morong	1,955	1	1
Anilao	Iloilo	2,699	1	1
Aniniy	Antique	4,802	1	1
Antequera	Bohol	5,842	.....	1
Antipolo	Morong	3,500	1	1
Antique	Antique	1,236	1	1
Apalit	Pampanga	11,753	2	2
Aparri	Cagayan	11,262	1	1
Arapiles	Davao	.....	1	1
Arayat	Pampanga	14,014	1	1
Arévalo	Iloilo	3,594	1	1
Argao	Cebu	34,050	1	1
Arguelles	Negros (Western)	2,390	1	1
Aritao	Nueva Vizcaya	700	1	1
Aringay	Union	3,044	1	1
Asingan	Pangasinan	3,522	1	1
Astorga	Davao	.....	1	1
Asturias	Cebu	6,000	1	.....

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Atimonan	Tayabas	10,000	1	1
Ayala	Zamboanga	1,900	1	1
Ayungon	Negros (Eastern)	1,107	1	1
Ayuquitan	....do	3,171	1	1
Azagra	Romblon	3,980	1	1
Baao	Ambos Camarines	6,759	1	1
Babatungon	Leyte	2,213	1	1
Bacacay	Albay	10,547	1	1
Bacarra	Ilocos Norte	13,735	1	1
Baclayón	Bohol	8,048	1	1
Bacnótan	Union	6,555	1	1
Bacó	Mindora	440	1	1
Bacolod	Negros (Western)	6,268	.....	.....
Bacolor	Pampanga	10,642	2	1
Bacon	Sorsogon	13,013	1	1
Bacong	Negros (Eastern)	8,371	1	1
Bacoor	Cavite	13,113	1	1
Bacuag	Surigao	569	1	1
Badajóz	Romblon	3,234	1	1
Badian	Cebu	9,409	1	1
Bagabag	Nueva Vizcaya	1,915	1	1
Bagac	Batáan	1,655	1	1
Bagamanoc	Catanduanes	1,209	1	1
Baganga	Matti	1,114	1	1
Bagó	Cebu	16,350	1	1
Do	Negros (Western)	7,092	1	1
Bais	Negros (Eastern)	9,304	1	1
Balanga	Batáan	9,000	1	1
Balangbang	Cebu	9,610	1	1
Balangiga	Samar	5,000	1	1
Balasan	Concepcion	.....	1	1
Balauang	Union	12,242	1	1
Balayán	Batangas	24,747	1	1
Baleno	Masbate and Ticao	923	1	1
Baler	Principe	1,911	1	1
Balete	Cápiz	5,065	1	.....
Balilijan	Bohol	1,860	1	1
Balincaguin	Zambales	2,378	1	.....
Balingasag	Misamis	11,491	1	1
Baliuag	Bulacan	14,122	.....	1
Balungao	Nueva Ecija	3,848	.....	.....
Bambán	Tarlac	3,196	1	1
Bambang	Nueva Vizcaya	3,387	1	1
Banate	Iloilo	6,764	1	1
Banga	Cápiz	9,127	1	1
Bangar	Union	9,000	1	1
Banguéd	Abra	13,417	1	1
Bani	Zambales	4,295	1	1
Bañolas	Davao	.....	1	1
Bantay	Ilocos Sur	6,449	2	2
Bantayan	Cebu	10,016	1	1
Bantón	Romblon	3,449	2	2
Barás	Morong	1,217	1	.....
Barasoain	Bulacán	9,675	1	1
Barbaza	Antique	3,231	1	1
Barcelona	Sorsogon	1,567	1	1
Barili	Cebu	20,914	.....	.....
Barugo	Leyte	12,322	1	1
Basey	Samar	13,736	1	1
Basilan	Basilan	1,300	1	1
Basud	Ambos Camarines	1,874	1	1
Batan	Cápiz	12,908	1	1
Batangas	Batangas	39,358	1	2
Bato	Ambos Camarines	4,861	1	1
Do	Catanduanes	.....	1	1
Do	Leyte	3,651	1	1
Batuanan	Bohol	1,270	1	1
Bauan	Batangas	39,659	1	1
Bauang	Union	7,701	1	1
Bauaue	Quiangan	.....	1	.....
Bay	Laguna	1,796	1	1
Bayambang	Pangasinan	8,505	1	1
Bayanan	Negros (Eastern)	.....	1	1
Baybay	Leyte	17,367	1	1
Bayombong	Nueva Vizcaya	3,691	2	2
Betis	Pampanga	4,460	1	1
Bigáa	Bulacan	8,120	1	1
Biliran	Leyte	6,201	1	1
Binalbagan	Negros (Western)	5,135	1	1
Binalonan	Pangasinan	10,295	1	1
Biñang	Laguna	19,786	1	1
Binangonan	Morong	7,624	1	.....
Binangonan de Lampon	Infanta	7,557	1	1
Binmaley	Pangasinan	13,787	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Bislig	Surigao	7,583	1	1
Boac	Mindoro	14,722	1	1
Bobon	Samar	4,830	1	1
Bocaue	Bulacan	10,345	1	1
Bolinao	Zambales	4,075	1	1
Boljoon	Cebu	7,413	1	.....
Bongabon	Mindoro	271	.....	.....
Do	Neuva Ecija	3,848	.....	1
Bombón	Ambos Camarines	2,656	1	1
Borbón	Cebu	2,805	1	1
Borongán	Samar	9,448	1	1
Bosoboso	Morong	855	1	1
Botolan	Zambales	4,566	1	1
Btac-nuevo	Iloilo	11,805	1	1
Btac-viejo	do	5,590	1	1
Búcay	Abra	2,461	1	1
Buenavista	Iloilo	3,497	1	1
Buguey	Cagayan	1,120	1	1
Buhi	Ambos Camarines	10,000	1	1
Bula	do	2,800	1	1
Bulacán	Bulacán	13,186	1	.....
Bulalacao	Mindoro	516	.....	.....
Bulan	Sorsogon	11,000	1	1
Bugasón	Antique	14,104	1	1
Burauen	Leyte	21,290	1	1
Buruanga	Cápiz	3,967	1	1
Bustos	Bulacán	7,025	1	.....
Butuan	Butuan	2,000	1	1
Do	Surigao	10,543	1	1
Bulusan	Sorsogon	5,230	1	1
Caba	Union	4,164	1	1
Cabagan Nuevo	Isabela de Luzon	6,240	1	1
Cabagan Viejo	do	3,633	1	1
Cabalián	Leyte	4,785	1	1
Cabanatuan	Nueva Ecija	12,000	1	.....
Cabancalan	Negros (Western)	7,636	1	1
Cabangan	Zambales	2,798	1	.....
Cabatuan	Iloilo	18,177	1	1
Cabayan	Benguet	844	1	1
Cabiao	Nueva Ecija	7,924	1	1
Cabugao	Ilocos Sur	8,259	1	1
Cabuntog	Surigao	4,175	1	1
Cabuyao	Laguna	8,888	1	1
Cádiz Nuevo	Negros (Western)	7,046	1	1
Cagancillo	Antique	3,000	.....	1
Cagayán de Misamis	Misamis	9,405	1	1
Cagsauaor Daraga	Albay	20,449	1	2
Cainta	Morong	2,275	.....	.....
Calabanga	Ambos Camarines	5,704	1	1
Calaca	Batangas	8,288	1	.....
Calamba	Laguna	11,476	1	1
Calapan	Mindoro	5,585	1	1
Calape	Bohol	10,025	1	1
Calasgasan	Ambos Camarines	813	.....	.....
Calasiao	Pangasinan	13,753	1	1
Calatagan	Batangas	964	.....	1
Calatrava	Davao	.....	1	1
Do	Negros (Western)	2,720	1	1
Calauan	Laguna	3,107	1	1
Calauang	Tayabas	2,813	1	1
Calbayog	Samar	30,250	1	1
Calbiga	do	4,292	1	1
Calinog	Illoilo	8,866	1	1
Caliyo	Cápiz	10,815	1	1
Calolbón	Catanduanes	4,382	1	1
Caloocan	Manila	9,843	1	1
Calumpit	Bulacan	15,072	1	1
Caluya	Mindoro	509	.....	.....
Caibiran	Leyte	4,153	1	1
Cainta	Morong	2,275	1	1
Cajagnaan	Leyte	260	1	1
Cajidiocan	Romblon	3,636	1	1
Camalanigan	Cagayan	4,198	1	1
Camaligan	Ambos Camarines	5,049	1	1
Camalig	Albay	14,868	1	2
Camiling	Tarlac	23,410	2	1
Canaman	Ambos Camarines	5,959	1	1
Candaba	Pampanga	14,585	1	1
Candelaria	Tayabas	3,234	1	1
Do	Zambales	2,865	1	.....
Candijay	Bohol	7,872	.....	.....
Candon	Ilocos Sur	15,797	1	1
Canoan	Negros (eastern)	9,380	1	1
Cantanauan	Tayabas	4,000	1	1
Cantilan	Surigao	10,026	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Caoayan	Ilocos Sur	6,050	3	3
Capalonga	Ambos Camarines	1,692	1	1
Capangan	Benguet	853	.....	.....
Capas	Tarlac	2,925	1	.....
Cápiz	Cápiz	13,676	1	1
Capul	Samar	2,295	1	.....
Caraga	Matti	8,690	1	1
Caramoan	Ambos Camarines	6,697	1	.....
Caramoran	Catanduanes	908	1	1
Cárcar	Cebu	30,300	1	1
Cardona	Morong	2,641	1	1
Carig	Isabela de Luzon	2,477	1	1
Carigara	Leyte	13,732	1	1
Caritan	Antique	1,240	1	1
Carlés	Concepcion	10,300	1	1
Cármen	Cebu	6,673	1	.....
Do	Bohol	3,300	1	1
Carmona	Cavite	3,959	1	1
Do	Davao	.....	1	.....
Carranglan	Nueva Ecija	937	1	1
Carrascal	Surigao	.....	1	1
Casiguran	Principe	1,527	1	1
Do	Sorsogan	8,662	1	1
Castilla	do	2,353	.....	1
Castillejos	Zambales	3,357	1	.....
Cataingan	Masbate	.....	1	.....
Catarman	Misamis	4,874	1	1
Do	Samar	10,482	1	1
Catbalogan	do	6,459	1	1
Catéel	Matti	3,500	1	1
Catigbian	Bohol	2,141	1	1
Catmón	Cebu	6,098	1	1
Catubig	Samar	9,565	2	2
Cauayan	Negros (Western)	4,644	1	1
Do	Isabela de Luzon	2,115	1	1
Cavinti	Laguna	5,515	1	1
Cavite	Cavite	1,497	1	1
Cavite Viejo	do	9,484	.....	.....
Cebu	Cebu	35,243	1	1
Cervera	Davao	.....	1	.....
Clavería	Cagayan	4,641	1	1
Compostela	Cebu	4,393	1	1
Concepción	Concepción	5,736	1	1
Do	Tarlac	13,499	1	1
Do	Tiagan	353	1	1
Consolación	Cebu	4,616	1	1
Corcuera	Romblon	1,995	1	1
Corella	Bohol	4,215	1	.....
Córdoba	Cebu	5,009	1	1
Do	Iloilo	2,744	1	1
Cordon	Isabela de Luzon	.....	1	1
Cortés	Bohol	6,018	1	1
Do	Surigao	1,861	.....	.....
Cottabato	Cottabato	3,000	1	1
Cristina	Davao	.....	1	1
Cuartero	Cápiz	5,175	1	1
Cuenca	Batangas	6,735	1	1
Culasi	Antique	10,553	1	1
Culión	Calamianes	3,500	1	1
Cuyapó	Nueva Ecija	9,350	1	1
Cuyo	Calamianes	8,258	1	1
Daan-Bantayan	Cebu	8,530	1	.....
Daclán	Benguet	967	1	.....
Daet	Ambos Camarines	10,650	1	1
Dagami	Leyte	25,000	1	1
Dagupan	Pangasinan	16,000	1	1
Dalaguete	Cebu	21,323	1	1
Danao	do	15,483	1	1
Dancalan	Negros (Western)	1,445	1	1
Dao	Antique	7,948	1	1
Do	Cápiz	8,787	1	1
Dapá	Surigao	1,900	.....	1
Dapitan	Lanao	3,955	1	1
Dapnan	Matti	500	1	1
Dauis	Bohol	8,992	1	.....
Dávao	Davao	3,308	1	1
Despujol	Romblón	.....	1	.....
Diadi	Nueva Viscaya	109	.....	.....
Dimiao	Bohol	8,014	1	1
Dinagat	Surigao	5,264	1	1
Dinalupijan	Bataan	738	1	1
Dingle	Iloilo	11,000	1	1
Dingras	Ilocos Norte	12,600	1	1
Dipolog	Lanao	4,611	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Dolores	Abra	2,970	1	1
Do	Tayabas	2,571	1	1
Donsol	Sorsogon	5,500	1	1
Dueñas	Iloilo	7,130	1	1
Duero	Bohol	7,143	.....	1
Dulag	Leyte	10,113	1	1
Dumaguete	Negros (eastern)	13,613	1	1
Dumalag	Cápiz	8,000	1	1
Dumangas	Iloilo	14,114	1	1
Dumanjug	Cebu	13,171	1	1
Dumarán	Palawan	.....	1	.....
Dumarao	Cápiz	5,085	1	1
Dupax	Nueva Viscaya	2,229	1	1
Echagüe	Isabela de Luzon	5,700	.....	1
Egaña	Antique	1,995	1	1
El Pardo	Cebu	10,647	1	1
El Salvador	Misamis	2,845	1	1
Enrile	Cagayan	7,000	1	1
Escalante	Negros (Western)	3,000	1	1
Estancia	Concepcion	.....	1	1
Floridablanca	Pampanga	7,654	1	1
Gainza	Ambos Camarines	2,631	1	1
Galiano	Benguet	1,330	1	1
Gamú	Isabela de Luzon	6,101	1	1
Gándara	Samar	15,563	.....	1
Gapán	Nueva Ecija	20,216	1	1
Garcia Hernández	Bohol	5,064	1	.....
Garellano	Davao	.....	1	1
Gasan	Ilocos Sur	4,785	.....	1
Gattaran	Cagayan	805	1	1
Gerona	Tarlac	9,261	1	1
Getafe	Bohol	3,397	.....	.....
Gigaquit	Surigao	7,116	1	1
Ginatilan	Cebu	12,144	1	1
Ginatuan	Surigao	2,277	1	1
Ginĝoog	Misamis	1,433	1	1
Ginigaran	Negros (Western)	13,620	1	1
Goa	Ambos Camarines	7,748	1	1
Granada	Negros (Western)	2,864	1	1
Guagua	Pampanga	10,722	1	1
Gubat	Sorsogon	13,359	1	1
Guernica	Davao	.....	.....	1
Guiguinto	Bulacan	5,115	1	1
Guijulugan	Negros (Eastern)	7,006	1	1
Guijungau	Negros (Western)	.....	1	1
Gumaca	Tayabas	7,571	1	1
Guimbalaon	Negros (Western)	.....	1	1
Guinayangan	Tayabas	2,000	1	1
Guindulman	Bohol	8,063	1	1
Guinobatan	Albay	20,500	1	2
Guinsiliban	Misamis	1,875	1	1
Guisijan	Antique	6,247	1	1
Guiuan	Samar	11,311	1	1
Gusa	Misamis	790	1	1
Hagonoy	Bulacán	20,120	1	1
Hermosa	Bataan	2,649	1	1
Hernani	Samar	2,555	1	1
Hilongos	Leyte	13,813	1	1
Hindang	....do	5,314	1	1
Hinundayan	....do	3,896	1	1
Hinunangan	....do	7,899	1	1
Iba	Zambales	3,512	1	1
Ibaan	Batangas	8,900	1	1
Ibajay	Cápiz	11,351	1	1
Igbaras	Iloilo	12,140	1	1
Iguig	Cagayan	4,000	1	1
Ilagan	Isabela de Luzon	13,811	1	1
Ilaya	Lanao	1,099	1	1
Hagan	Misamis	6,020	1	1
Iling	Mindoro	427	.....	.....
Ilog	Negros (Western)	6,070	1	1
Imus	Cavite	14,676	.....	1
Inabanga	Bohol	9,957	1	1
Indan	Ambos Camarines	5,800	1	1
Do	Cavite	1,500	.....	1
Infanta	Zambales	3,445	1	1
Inopacan	Leyte	4,239	1	1
Ipil	Bohol	1,745	1	.....
Iponan	Misamis	5,586	.....	.....
Iriga	Ambos Camarines	17,094	1	1
Ririun	Mindoro	143	.....	.....
Irosín	Sorsogon	5,224	1	1
Isabela	Negros (Western)	11,104	1	1
Isin	....do	1,596	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Ivisan	Capiz	5,000	1	1
Jabonga	Surigao	1,644	1	1
Jagnaya	Capiz	2,500	1	1
Jaen	Nueva Ecija	4,651	1	1
Jagna	Bohol	1,162	1	1
Jalajala	Morong	1,735	1	----
Jamindang	Capiz	5,000	1	1
Janiuay	Iloilo	28,738	1	1
Jaro	Leyte	12,475	1	1
Jasaan	Misamis	9,444	1	1
Jiabon	Samar	3,579	1	1
Jimalalud	Negros (eastern)	5,559	1	1
Jimamaylan	Negros (western)	6,758	1	1
Jimenez	Misamis	8,707	1	1
Jimeno	Capiz	3,278	1	----
Joló	Sulu	1,500	1	1
Jovellar	Albay	5,279	1	1
Juban	Sorsogon	6,000	1	1
La Caridad	Cavite	1,258	1	1
La Carlota	Negros (western)	12,384	1	1
La Granja	Samar	3,413	1	1
La Paz	Abra	2,869	1	1
Do	Iloilo	3,641	1	1
Do	Tarlac	2,805	1	1
La Trinidad	Benguet	2,000	----	----
Labo	Ambos Camarines	4,213	1	1
Lacy	Negros (eastern)	6,448	1	1
Lagaui	Quiangan	----	----	----
Lagonoy	Ambos Camarines	8,500	1	1
Lagoblong	Misamis	1,834	1	1
Lagundi[1]	Morong	----	1	1
Lal-ló	Cagayan	6,475	1	1
Lambunao	Iloilo	7,989	1	1
Lanan	Samar	4,779	1	1
Langaran	Misamis	11,779	----	1
Lanuza	Surigao	----	1	1
Laoag	Ilocos Norte	37,094	1	1
Laoang	Samar	8,129	1	1
Lapo	Ilocos Sur	6,000	1	1
Las Mercedes	Davao	----	1	1
Do	Zamboanga	2,372	1	1
Laspiñas	Manila	4,000	1	1
Lavezares	Samar	3,480	1	1
Leganés	Iloilo	2,875	1	1
Legaspi	Albay	6,017	1	1
Lemery	Batangas	2,890	1	----
Do	Concepcion	3,677	1	1
León	Iloilo	13,950	1	1
Leyte	Leyte	6,719	1	1
Lezo	Cápiz	5,500	1	1
Lian	Batangas	5,889	----	----
Lianga	Surigao	6,340	1	1
Libacao	Cápiz	3,914	1	----
Libmanan	Ambos Camarines	14,512	2	2
Libog	Albay	6,569	1	1
Libon	....do	4,125	1	1
Licab	Nueva Ecija	----	1	----
Lila	Bohol	4,470	1	1
Lilo	Laguna	5,000	1	1
Liloan	Cebu	8,380	1	1
Do	Leyte	3,982	1	1
Ligao	Albay	17,371	1	2
Langayen	Pangasinan	18,886	1	1
Linguig	Surigao	6,340	1	1
Lipa	Batangas	40,733	1	1
Loay	Bohol	7,169	1	1
Lobo	Batangas	6,472	1	----
Loboc	Bohol	10,174	1	1
Loctugan	Capiz	3,475	1	1
Loculan	Misamis	2,110	1	1
Longos	Laguna	1,413	1	1
Looc	Mindoro	1,204	1	----
Do	Romblon	4,500	1	1
Loon	Bohol	15,365	1	1
López	Tayabas	6,412	1	1
Loreto	Surigao	----	1	1
Los Baños	Laguna	2,756	1	1
Luban	Mindoro	6,541	1	1
Lubao	Pampanga	21,175	1	----
Lubungan	Lanao	5,157	1	1
Lucban	Tayabas	12,755	1	1
Lucena	Iloilo	6,511	1	1
Do	Tayabas	7,000	1	1
Luisiana	Laguna	3,802	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Lumban	Laguna	4,293	1	1
Lupao	Nueva Ecija	608	1	1
Lupi	Ambos Camarines	765	.....	.....
Ma asim	Leyte	18,499	1	1
Maasin	Iloilo	9,674	1	1
Ma-ayon	Cápiz	.....	1	1
Mabalacat	Pampanga	10,600	1	1
Mabatan	Bataan	1,766	1	1
Mabatobato	Ambos Camarines	849	1	1
Macabebe	Pampanga	10,400	1	1
Macalelon	Tayabas	3,000	1	1
Macato	Cápiz	10,136	1	1
Macrohon	Leyte	5,780	.....	1
Madalag	Cápiz	2,684	1	1
Madridejos	Cebu	.....	.....	.....
Magalan	Pampanga	8,262	1	1
Magallanes	Romblon	1,055	1	1
Do	Sorsogon	2,377	1	1
Magárao	Ambos Camarines	5,744	1	1
Magdalena	.....do	2,352	1	1
Magsingal	Ilocos Sur	8,446	6	6
Magulang	Quiangan	.....	1	1
Mahinog	Misamis	4,687	1	1
Majayjay	Laguna	6,528	1	1
Malaboyoc	Cebu	13,113	.....	1
Malasiqui	Pangasinan	8,900	1	1
Malaueg	Cagayan	3,819	1	.....
Malibago	Leyte	1,119	1	1
Malibay	Manila	2,890	1	1
Malilipot	Albay	5,995	1	1
Malinao	.....do	10,296	1	1
Do	Cápiz	7,571	1	.....
Malitbog	Leyte	7,906	1	1
Malolos	Bulacan	14,599	1	1
Malupa	Antique	2,972	1	1
Mambajao	Misamis	18,000	1	1
Mambulao	Ambos Camarines	1,182	1	1
Mambusao	Cápiz	11,000	1	1
Mamburao	Mindoro	499	.....	.....
Manaoag	Pangasinan	17,500	1	1
Manapla	Negros (Western)	.....	1	1
Mandaue	Cebu	15,307	1	1
Mandurriao	Iloilo	6,749	1	1
Mangaldan	Pangasinan	16,143	1	1
Mangarin	Mindoro	2,289	.....	.....
Mangatarem	Pangasinan	10,146	1	1
Manguirin	Ambos Camarines	1,300	1	.....
Manila	Manila	350,000	13	12
Manito	Albay	1,515	1	1
Mansalay	Mindoro	379	.....	.....
Maragondón	Cavite	8,313	.....	.....
María	Negros (Eastern)	5,415	1	1
María Cristina	Misamis	140	1	1
Maribojoc	Bohol	10,852	1	1
Marilao	Bulacan	5,075	1	1
Maripipi	Leyte	1,998	1	1
Mariquina	Manila	10,313	1	1
Mariveles	Bataan	1,429	1	1
Masbate	Masbate	2,345	1	1
Masinloc	Zambales	2,945	1	1
Masol	.....do	2,404	1	1
Matolom	Leyte	6,146	1	1
Matina	Davao	.....	1	1
Matnog	Sorsogon	3,745	1	1
Matti	Matti	600	1	1
Mauban	Tayabas	9,268	1	1
Manjuyod	Negros (Eastern)	7,486	1	1
Mavitac	Laguna	1,431	1	1
Maynit	Surigao	4,550	1	1
Medellín	Cebu	8,221	1	.....
Mendez Nuñez	Cavite	3,745	.....	1
Mercedes	Samar	3,068	1	1
Mérida	Leyte	897	1	1
México	Pampanga	17,099	3	1
Meycauayan	Bulucan	8,119	1	1
Miagao	Iloilo	22,100	1	1
Milagros	Masbate	1,789	1	1
Milaor	Ambos Camarines	5,120	1	1
Mina	Iloilo	4,357	1	1
Minalabag	Ambos Camarines	3,869	1	1
Minalin	Pampanga	6,386	1	1
Minglanilla	Cebu	6,310	.....	1
Minuluan	Negros (Western)	11,338	1	1
Misamis	Misamis	6,075	1	.....

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Moalboal	Cebu	9,509	1	1
Mobo	Masbate	1,896	1	1
Mogpog	Mindoro	5,214	1	
Molo	Iloilo	9,547	1	1
Molugan	Misamis	1,044	1	1
Moncada	Tarlac	7,601	1	1
Mondragón	Samar		1	1
Montalban	Manila	3,055	1	1
Morella	Davao		1	1
Moriones	Tarlac	1,289		1
Morón	Bataan	2,622	1	
Morong	Morong	9,430	1	1
Mulanay	Tayabas	325	1	1
Munguia	Bontoc			
Muntinlupa	Manila	5,068	1	1
Murcia	Negros (Western)	8,000	1	1
Do	Tarlac		1	
Naanan	Misamis	890		1
Nabua	Ambos Camarines	17,789	1	2
Naga	do		1	
Do	Cebu	10,926	1	1
Nagaba	Iloilo	8,000	1	1
Nagcarlan	Laguna	12,976	1	1
Nagpartian	Ilocos Norte	1,985	1	1
Naguilian	Isabela de Luzon		1	1
Do	Union	10,405	1	1
Naic	Cavite	9,215		
Namacpacan	Union	8,630		
Nampican	Nueva Ecija	3,241	1	
Narvacan	Ilocos Sur	16,500	8	
Nassiping	Cagayan	1,023	1	1
Naujan	Mindoro	8,312	1	
Naval	Leyte	3,183	1	1
Navas	Cápiz	5,257	1	1
Nonoc	Surigao	541	1	1
Norzagaray	Bulacan	5,305		
Novaliches	Manila	1,871	1	1
Noveleta	Cavite	2,804		
Nueva Cáceres	Cebu	3,339	1	1
Nueva Coveta	Ilocos Sur	789	1	1
Nueva Valencia	Negros (Eastern)	6,316	1	1
Numancia	Capiz	6,123	1	1
Do	Surigao	4,111	1	1
Oas	Albay	10,357	1	2
Obando	Bulacan	7,948	1	1
Odiongan	Romblon	5,924	1	2
Olongapó	Zambales			
Opol	Misamis		1	
Opón	Cebu	11,506		1
Oquendo	Samar	5,200	1	1
Oslob	Cebu	6,013	1	1
Oran	Davao		1	1
Orani	Bataan	6,400	1	1
Oras	Samar	5,667	1	1
Orión	Bataan	10,373	1	1
Ormoc	Leyte	8,107	1	1
Oroquieta	Misamis	9,000	1	1
Oteiza	Surigao		1	1
Oton	Iloilo	13,363	1	1
Oyangurin	Davao		1	1
Paete	Laguna	2,887	1	1
Pagbilao	Tayabas	5,756	1	1
Pagsanjan	Laguna	6,327	1	1
Pamplona	Cagayan	2,404	1	1
Palanan	Isabela de Luzon	1,137	1	1
Palanas	Masbate	2,749	1	1
Palapag	Samar	5,802		1
Palauig	Zambales	2,584	1	1
Palo	Leyte	17,736	1	1
Palompon	do	7,858	1	1
Paltóc	Tiagan	770	1	1
Paluan	Mindoro	1,561	1	
Pambujan	Samar	7,423	1	1
Pamplona	Ambos Camarines	3,647	1	1
Panay	Cápiz	15,484	1	1
Pandacan	Manila	2,446	1	1
Pandan	Antique	13,737	1	1
Do	Catanduanes	2,143	1	1
Pañgil	Laguna	2,459	1	1
Panglao	Bohol	6,795	1	1
Paniqui	Tarlac	8,712	1	1
Panitan	Cápiz	10,020	1	1
Pantabangan	Nueva Ecija	1,513	1	1
Paoay	Ilocos Norte	11,848	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Paombon	Bulacán	10,297	1	1
Paquil	Laguna	1,719	1	1
Paracale	Ambos Camarines	3,211	1	1
Parañaque	Manila	9,863	1	1
Paranas	Samar	7,366	1	1
Paric	do	3,469	1	1
Pasacao	Ambos Camarines	1,548	1	1
Pasig	Manila	22,000	4	3
Passi	Iloilo	13,802	1	1
Pastrana	Leyte		1	1
Pasuquin	Ilocos Norte	5,616	1	1
Patnongon	Antique	5,911	1	1
Pateros	Manila	2,842	1	1
Pavia	Iloilo	10,221	1	1
Payo	Catanduanes	2,800	1	
Peñaranda	Nueva Ecija	7,700	1	1
Peña plata	Davao			
Perez Dasmariñas	Cavite	4,696		1
Piat	Cagayan	2,716	1	1
Pidigan	Abra	2,142	1	1
Piddig	Ilocos Norte	10,841	1	1
Pila	Laguna	5,987	2	1
Pilar	Abra	4,107	1	1
Do	Bataan	3,471	1	1
Do	Cápiz	2,895	1	1
Do	Cebu	4,268	1	
Do	Sorsogon	5,458	1	1
Pili	Ambos Camarines	3,635	1	1
Piliila	Monong	2,000	1	1
Pinabagdao	Samar	1,975	1	1
Pinamalayan	Mindoro	292		1
Pinamungajan	Cebu	5,378	1	1
Pineda	Manila	9,825	2	1
Pitogo	Tayabas	3,011	1	1
Placer	Surigao		1	1
Pola	Mindoro	572	1	1
Polangui	Albay	10,050	1	1
Polillo	Infanta	1,400	1	
Polo	Bulacan	7,945	1	1
Pollok	Cottabato	400	1	1
Pontevedra	Cápiz	9,512	1	1
Do	Negros (Western)	12,000	1	1
Porac	Pampanga	8,512	2	2
Poro	Cebu	7,000	1	
Pototan	Iloilo	14,512		1
Pozorrubio	Pangasinan	9,947	1	1
Puerto Galera	Mindoro	1,912	1	
Puerto Princesa	Palawan	1,589	1	1
Pulilan	Bulacan	10,058	1	1
Puncan	Nueva Ecija	501		
Pura	Tarlac	5,255	1	1
Quimbal	Iloilo	10,958	1	1
Quinablangan	Matti	299	1	1
Quinapundan	Samar	2,000	1	1
Quinuguitan	Misamis	1,320	1	1
Quingua	Bulacan	8,854	1	1
Quiot	Leyte	2,422	1	1
Quipayo	Ambos Camarines	1,793	1	1
Ragay	do	2,300	1	1
Reina Mercedes	Isabela de Luzon	3,286	1	1
Rivera de San Fernando	Zambales		1	
Romblon	Romblon	6,764	1	1
Ronda	Manila	4,394	1	1
Roquetas	Davao		1	1
Rosales	Nueva Ecija	11,519	1	1
Rosario	Batangas	12,435	1	
Do	Cavite	6,385		1
Do	Union	2,246	1	1
Sablayan	Ilocos Sur	851		
Sagay	Misamis	5,066		1
Sagñay	Ambos Camarines	3,985	1	1
Salasa	Pangasinan	7,067	1	1
Salay	Misamis	1,816	1	1
Salcedo	Ilocos sur	914	1	1
Do	Samar	4,470	1	1
Samal	Bataan	5,233	1	1
Samboan	Cebu	10,422	1	1
San Augustin	Masbate	1,129	1	1
San Antonio	Laguna	1,649	1	1
Do	Nueva Ecija	7,269	1	1
Do	Zambales	4,988	1	1
San Bartolemé	Batanes	1,722	1	1
San Cárlos	Pangasinan	23,934	1	1
San Cárlos de Magatao	Batanes	1,229	1	1
San Clemente	Tarlac	1,875	1	1
San Dionisio	Concepcion	1,782	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
San Emilio	Tiagan	109	2	1
San Enrique	Iloilo	3,015	1	1
Do	Negros (Western)	3,607	1	1
San Esteban	Ilocos Sur	2,132	1	1
San Fabián	Pangasinan	9,018	1	1
San Felipe	Zambales	4,265	1	
San Felipe Nery	Manila	5,465	2	1
San Fernando	Anbos Camarines	3,271	1	1
Do	Cebu	12,155	1	
San Fernando de Dilao			1	1
San Fernando	Masbate	2,367	1	1
Do	Pampanga	13,266	2	2
Do	Union	12,892	1	1
San Francisco	Cavite	9,055		1
Do	Cebu	6,567		
San Gregorio	Abra	1,429	1	1
San Ildefonso	Bulacán	6,601	1	1
Do	Ilocos Sur	2,033	1	1
San Isidro del Campo	Leyte	3,352	1	1
San Isidro	Nueva Ecija	7,056	1	
Do	Pangasinan	2,531	1	1
Do	Zambales	2,863	1	
San Jacinto	Masbate	2,459	1	1
Do	Pangasinan	5,059	1	1
San Joaquin	Iloilo	13,918	1	1
San José	Abra	1,285	1	1
Do	Ambos Camarines	9,000	1	1
Do	Batangas	10,000	1	1
Do	Bulacan	2,397		
Do	Corregidor	514	1	1
Do	Davao		1	1
Do	Nueva Ecija	852		
San Juan	Batangas	14,017	1	1
Do	Negros (Eastern)	5,979	1	1
Do	Nueva Ecija	2,994	1	
Do	Surigao		1	1
Do	Union	10,211	1	1
San José de Buenavista	Antique	5,621	1	1
San José de Casignan	Principe	267	1	
San José de Ibana	Batanes	1,951	1	1
San José de Navotas	Manila	9,154	2	2
San Juan del Monte	.....do	2,011	1	1
San Julián	Samar		1	1
San Leonardo	Nueva Ecija			
San Luis	Batangas	5,201	1	1
Do	Pampanga	10,298	1	1
San Manuel	Pangasinan	590	1	1
San Marcelino	Zambales	4,043	1	1
San Mateo	Manila	6,700	1	1
San Miguel	Ilocos Norte	9,015	1	1
Do	Iloilo	7,300	1	1
Do	Leyte	4,126	1	1
Do	Pampanga	1,887	1	1
San Miguel de Mayumo	Bulacan	20,460	1	
San Nicolás	Ilocos Norte	9,578	1	1
Do	Cebu	17,800	1	1
Do	Pangasinan	10,204	1	1
San Narciso	Tayabas	1,087	1	
Do	Zambales	7,255	1	1
San Pablo	Laguna	19,537		1
San Pascual	Burias	1,601	1	2
San Pedro	Antique	7,366	1	1
San Pedro Macati	Manila	3,921	2	2
San Pedro Tunasan	Laguna	3,700	1	1
San Quintín	Abra	725	1	1
Do	Nueva Ecija	6,852	1	1
San Rafael	Bulacan	8,469	1	
San Ramón	Davao		1	1
San Remigio	Antique	2,503	1	1
Do	Cebu	6,192	1	1
San Ricardo	Leyte		1	1
San Roque	Cavite	3,182	1	1
San Sebastián	Cebu		1	1
Do	Samar	839	1	1
San Simón	Pampanga	7,817	1	1
Sanchez Mira	Cagayan		1	1
Santa	Ilocos Sur	8,532	2	2
Santander	Cebu	4,686		
Santa Ana	Manila	2,194	1	1
Santiago	Ilocos Sur	4,087	1	1
Santa Ana	Misamis	881	1	1
Santor	Nueva Ecija	2,921	1	
Santa Ana	Pampanga	6,132	1	1
Santa Bárbara	Iloilo	13,000	1	1
Do	Pangasinan	7,595	1	

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Santa Catalina	Ilocos Sur	5,100	1	1
Santa Cruz	Cavite	8,546		1
Do	Davao		1	1
Do	Laguna	13,141	1	1
Do	Ilocos Sur	5,876	2	2
Do	Zambales	4,594	1	1
Santa Cruz de Mindoro	Mindoro	300		
Santa Cruz de Napo	Ilocos Sur	15,797	1	1
Santa Fé	Cebu	3,102	1	1
Do	Romblon		1	2
Santa Ignacia	Tarlac	1,374	1	1
Santa Isabel	Bulacan	8,125	1	1
Santa Lucía	Ilocos Sur	7,113	1	1
Santa María	Bulacan	10,508	1	1
Do	Laguna	840	1	1
Do	Ilocos Sur	10,030	1	1
Do	Isabela de Luzon	2,607	1	1
Do	Pangasinan	3,939	1	1
Do	Zamboanga	2,200	1	1
Santa María de Mayan	Batanes	1,055	1	1
Santa Margarita	Samar		1	1
Santa Rita	Pampanga	7,359	1	1
Do	Samar	4,394	1	1
Santa Rosa	Laguna	9,434	1	1
Do	Nueva Ecija	4,324	1	
Santo Domingo	Ilocos Sur	8,931	1	1
Do	Nueva Ecija			
Santo Domingo de Basco	Batanes	2,981	1	1
Santo Niño	Cagayan	2,891		
Do	Samar		1	1
Santo Tomás	Batangas	10,769	1	1
Do	Pampanga	4,321	1	1
Do	Union	6,481	1	1
San Vicente	Ambos Camarines	1,325	1	1
Do	Ilocos Sur		1	1
San Vicente de Saptang	Batanes	1,753	1	1
Sápao	Quiangan			
Do	Surigao	1,300	1	1
Sapian	Cápiz	4,863	1	1
Sara	Concepcion	10,950	1	1
Saravia	Negros (Western)	15,304	1	1
Sariaya	Tayabas	6,966	1	1
Sebaste	Antique	3,676	1	1
Semirara	Mindoro	189		
Sevilla	Bohol	5,920	1	1
Do	Ilocos Sur	1,133	1	1
Sexmoan	Pampanga	7,969	1	1
Siaton	Negros (Eastern)	8,142	1	1
Sibay	Mindoro	252		
Sibonga	Cebu	23,455	1	1
Sibolam	Antique	11,675	1	1
Sibsibu	Tiagan			1
Sibulan	Negros (Eastern)	6,346	1	1
Sierra Bullones	Bohol	2,119	1	
Sigaboy	Malabang	900	1	1
Sigma	Antique	1,660	1	1
Silan	Cavite	7,411		
Silay	Negros (Western)	14,537	1	1
Siniat	Ilocos Sur	7,936	1	1
Siniloan	Laguna	5,659	1	1
Sipocot	Ambos Camarines	1,066	1	1
Siquijor	Negros (Eastern)	11,788	1	1
Siroma	Ambos Camarines	679	1	1
Sogod	Cebu	6,719	1	1
Do	Leyte	4,722	1	1
Solana	Cagayan	5,578	1	1
Solano	Nueva Vizcaya	4,190	1	1
Solsona	Ilocos Norte	3,991	1	1
Sorsogón	Sorsogon	10,720	1	2
Sual	Pangasinan	2,636	1	1
Suay	Negros (Western)	2,972	1	1
Subaan	Mindoro	397	1	
Subic	Zambales	3,016	1	
Sulat	Samar	4,615	1	1
Sumag	Negros (Western)	4,332	1	1
Surigao	Surigao	6,285	1	1
Taal	Batangas	33,378		1
Tabaco	Albay	17,436	1	2
Tabontabon	Leyte		1	1
Tacloban	do	5,226	1	1
Taganaan	Surigao	1,562	1	1
Tagbilaran	Bohol	8,638	1	1
Tago	Surigao	1,909	1	1
Tagobon	Cebu	8,631	1	1
Tagoloan	Misamis	3,378	1	1
Tagudin	Ilocos Sur	4,055	1	1

Name.	Where situated.	Population.	Teachers.	
			Male.	Female.
Taguiig	Manila	9,662	1	1
Talacogon	Butuan		1	1
Tambobon	Manila	25,000	2	2
Tamontaca	Cottabato	1,900	1	1
Tanauan	Batangas	20,036	1	1
Do	Leyte	18,509	1	1
Tanay	Morong	4,529	1	1
Tandag	Surigao	5,210	1	1
Tangalan	Cápiz	2,982	1	1
Tanjay	Negros (Eastern)	12,408	1	1
Tapaz	Capiz	2,892	1	1
Talacogon	Surigao	11,585	1	1
Talamban	Cebu	6,226	1	1
Talavera	Nueva Ecija	2,720	1	
Talibong	Bohol	7,321		1
Talisay	Ambos Camarines	3,567	1	1
Do	Cebu	19,000	1	1
Talisayan	Misamis	1,684	1	1
Tarangnan	Samar	3,950	1	1
Tarifa	Davao		1	
Tarlac	Tarlac	9,668	1	1
Tayabas	Tayabas	15,000	1	1
Tayasan	Negros (Eastern)	1,569	1	1
Taysan	Batangas	6,971	1	1
Taytay	Morong	6,800	1	1
Do	Palawan	2,331	1	
Tayug	Pangasinan	19,612	1	1
Tayum	Abra	3,436	1	1
Teresa	Morong	4,250	1	1
Ternate	Cavite	1,828		
Tetuán	Zamboanga	5,643	1	1
Tiaon	Tayabas	6,950	1	1
Tibiao	Antique	5,402	1	1
Tigao	Surigao	1,909		
Tigoan	Ambos Camarines	4,100	1	1
Tigbauan	Iloilo	9,109	1	1
Timamama	Surigao			
Tinambac	Ambos Camarines	2,497	1	1
Tiui	Albay	10,215	1	2
Toledo	Cebu	10,922	1	1
Tolón	Negros (Eastern)	1,514	1	1
Tolosa	Leyte	5,587	1	1
Do	Surigao		1	
Torrijos	Ilocos Sur	3,119	1	
Tuao	Cagayan	4,986	1	1
Tubao	Union		1	1
Tubay	Surigao	505	1	1
Tubig	Samar	3,378	1	1
Tubigon	Bohol	15,855	1	
Tublay	Benguet	996	1	1
Tubungan	Iloilo	4,368	1	1
Tuburan	Cebu	10,760	1	1
Tudela	.....do		1	1
Tuguegarao	Cagayan	16,826	1	
Tumauini	Isabela de Luzon	4,814	1	1
Tuy	Batangas	10,150		
Ubay	Bohol	3,552	1	1
Ubong	Nueva Vizcaya	977	1	1
Umingan	Nueva Ecija	5,848	1	1
Unisan	Tayabas	3,155	1	1
Urbiztondo	Pangasinan	5,182	1	1
Urdaneta	.....do	16,588	1	1
Uson	Masbate	2,105	1	1
Valderrama	Antique	4,372	1	1
Valencia	Bohol	6,904	1	1
Valladolid	Negros (Western)	14,000	1	1
Vera	Davao		1	1
Veruela	Butuan		1	1
Veruda	Surigao		1	1
Victoria	Tarlac	10,362	1	1
Viga	Catanduanes	2,896	1	1
Vigan	Ilocos Sur	19,000	7	4
Vilar	Bohol	6,665	1	1
Villaba	Leyte	3,257	1	1
Villa-Real	Samar	6,091	1	1
Villasis	Pangasinan	11,968	1	1
Villavieja	Abra	859	1	1
Vintar	Ilocos Sur	11,803	1	1
Virac	Catanduanes	5,832	1	1
Zamboanga	Mindanao	21,300	1	1
Zamboanguito	Negros (Eastern)	5,603	1	1
Zaragoza	Nueva Ecija	5,250	3	3
Do	Zambales		1	
Zarraga	Iloilo	5,208	1	1
Zumárraga	Samar	4,561	1	1

This table brings out clearly certain facts and shows just where the trouble lies. While most of the small towns have one teacher of each sex, in the larger towns and cities no adequate provision is made for the increased teaching force necessary; so that places of 30,000 or 40,000 inhabitants are often no better off as regards number of teachers than are other places in the same province of but 1,500 or 2,000 souls.

The hardship thus involved for children desiring a primary education will be better understood if one stops to consider the nature of the Philippine "pueblo," which is really a township, often containing within its limits a considerable number of distinct and important villages or towns, from the most important of which the township takes its name. The others, under distinct names, are known as "*barrios*," or wards. It is often quite impossible for small children to attend school at the particular town which gives its name to the township on account of their distance from it, and even where the distance is not great, unfavorable climatic conditions during the rainy season may subject them to great exposure.

It is of fundamental importance, then, that the number of primary schools be greatly increased at the earliest possible moment, and that the new schools be established with due regard to the distribution of population throughout the various townships, so that attendance upon them may not entail too great hardship.

The character and amount of the instruction which has heretofore been furnished is also worthy of careful consideration.

The regulations for primary schools were as follows:

Instruction in schools for natives shall for the present be reduced to elementary primary instruction and shall consist of—

1. Christian doctrine and principles of morality and sacred history suitable for children.
2. Reading.
3. Writing.
4. Practical instruction in Spanish, including grammar and orthography.
5. Principles of arithmetic, comprising the four rules for figures, common fractions, decimal fractions, and instruction in the metric system with its equivalents in ordinary weights and measures.
6. Instruction in general geography and Spanish history.
7. Instruction in practical agriculture as applied to the products of the country.
8. Rules of deportment.
9. Vocal music.

It will be noted that education in Christian doctrine is placed before reading and writing, and, if the natives are to be believed, in many of the more remote districts instruction began and ended with this subject and was imparted in the local native dialect at that. It is further and persistently charged that the instruction in Spanish was in very many cases purely imaginary, because the local friars, who were formerly *ex officio* school inspectors, not only prohibited it, but took active measures to enforce their dictum. This was especially true in

those towns where, on account of their remote situation, the provincial governor rarely intervened. We have been informed that in such regions even adults who had by one means or another acquired some knowledge of Spanish found it to their interest to confine themselves to the use of their native dialect.

Ability to read and write a little of the local native language was comparatively common.

Instruction in geography was extremely superficial. As a rule no maps or charts were available, and such information as was imparted orally was left to the memory of the pupil, unaided by any graphic method of presentation.

The only history ever taught was that of Spain, and that under conventional censorship. The history of other nations was a closed volume to the average Filipino. Vocal music was not taught, and the instruction in practical agriculture, where given, was a sorry farce.

The course as above outlined was that prescribed for boys. Girls were not given instruction in geography, history, or agriculture, but in place of these subjects were supposed to receive instruction "in employments suitable to their sex."

It should be understood that the criticisms which have been here made apply to the provincial schools. The primary instruction given at the Ateneo Municipal at Manila, under the direction of the Jesuits, fulfilled the requirements of the law, and in some particulars exceeded them.

The second article in the set of regulations above referred to reads as follows:

> Primary instruction is obligatory for all natives. The fathers, tutors, or guardians of children shall send them to the public schools between the ages of 10 and 12 years, unless they prove that they give them sufficient instruction in their homes or in private schools. Those who do not obey this rule shall be admonished by the authorities, and compelled to do so by a fine of from one-half real to 2 reales (3 to 13 cents gold at the present rate of exchange!), *when there is a school in the town at such a distance that the children can conveniently attend.* The fathers and guardians of children *may* also send them to the schools between the ages of 6 and 14 years.

As already indicated, the provision that children shall be sent, *when there is a school which they can conveniently attend*, renders this requirement abortive. As a matter of fact, little or no attempt was made to enforce the rule, and there were plenty of cases in which schools had a scant dozen of scholars.

In some towns special buildings served as schoolhouses. At the best they were usually cheaply constructed and most inadequately equipped. Often a room in the house of the schoolmaster or mistress served in lieu of a schoolhouse, while the lack of text-books, blackboards, and even of writing materials, frequently made it necessary that much or all of the instruction should be oral.

It is true that very many of the civilized natives have never attended any school of any sort whatsoever; that a considerable additional number have attended school, but have learned only a few prayers and a little catechism in their native dialect—they may or may not be able to read and write their own language. It is further true that a small number have learned to read and write Spanish *mechanically*, with little or no knowledge of the words which they form or pronounce. A very small number have learned to read and write it intelligently. Rudimentary arithmetic is quite commonly taught. The kind and amount of information imparted under the other heads have already been sufficiently discussed.

It is evident that a revision of the course of primary instruction is urgently needed; that suitable buildings should be constructed where they do not already exist, and that the necessary equipment for carrying on primary school work in accordance with modern methods should be provided.

Theoretically, the provincial schools remained open throughout the year; practically, they were often closed during the rainy season, during harvest time, or when the teacher happened to wish for a vacation.

Under the old régime masters and mistresses were classified according to the importance of the towns where they served. Their salaries were as follows:

Classification of teachers.	Monthly compensation (gold).	
	Men.	Women.
Highest grade (first class)	$20.00	$12.50
Highest grade (second class)	15.00	10.00
Intermediate grade	12.50	7.50
Lowest grade	10.00	6.00
Assistants	7.50	5.00

It is worth while to note in passing that of the 1,914 teachers employed in 1898 a very considerable number were "assistants," or, still worse, "temporary incumbents."

When the Spanish authorities of the University of Santo Tomas were interrogated by the Commission as to why it was that a considerable number of persons who could not themselves understand a word of Spanish were allowed to hold positions as teachers in the public schools, they replied that it was because no one could be found in the towns in question who knew the language. This fact in itself is a sufficient commentary on the way in which the law as to the teaching of Spanish has been carried out, but it can not be doubted that the director of the Manila Normal School for Men hit upon one of the fundamental causes of the utterly inadequate preparation of a considerable proportion of the primary school-teachers when he

remarked that *a man or a woman with sufficient education to fulfill the legal requirements of a position as master or mistress could not afford to practice the profession* when the compensation was so inadequate, as there were plenty of other ways in which the knowledge and training gained could be employed to greater advantage.

The normal school conducted by the Jesuits at Manila, which will be described later, has done good work in training teachers, but according to the testimony of its director the total number graduated since its foundation in 1863 has been only 1,900, of whom he feared but a small part had taught in the public schools, while many of those who had done so had thereby sacrificed their personal interests out of pure patriotism.

From these facts we conclude that additional provision should be made for the proper training of teachers, and that their salaries should be placed at such figures as to afford at least a respectable livelihood for those to whom is intrusted the all-important task of educating the youth of the Philippines.

The schools of Manila were reopened early in September, 1898, by Chaplain W. D. McKinnon, acting under order of General Hughes. On July 1 Mr. George P. Anderson began work as superintendent of public instruction for the city. Under his administration the number of schools was increased to 39. At the end of the second week in July the enrollment of students was 3,721. By the end of the month it had reached 4,179. At the end of August it was 4,504, and the increase for the first two weeks in September, at the end of which time the commission left Manila, was proportionately greater than at any previous time. This, too, in spite of the fact that the months of July and August are, at Manila, the rainiest of the year.

The introduction of the teaching of English into these schools was received with great satisfaction by the natives. The young Filipinos display a considerable aptitude for learning new tongues, and it is believed that if this policy is followed out, English can within a short time be made the official language of the archipelago. The commission strongly recommend that it be done.

The schools had also been opened in some of the towns near Manila, where municipal government had been established, at the time of our departure. Here, too, the introduction of English, wherever made, had been hailed with delight by the people, who could hardly believe that they were to be encouraged to learn the language of those in authority over them.

APPOINTMENT OF TEACHERS.

Positions for the four higher grades were filled by competitive examination between holders of teachers' titles, but "assistants" were not required to have titles. The governor of each province was the

inspector-general of all its schools. Formerly the friars were the local inspectors. The Maura law provided that the municipal captain should fill this post, but in practice this provision was not carried out.

SECONDARY EDUCATION.

The only official institution for secondary education in the Philippines was the College of San Juan de Letran, which was in charge of the Dominican Friars and was under the control of the university authorities.

Secondary education was also given in the Ateneo Municipal of Manila, by the Jesuit Fathers, and this institution was better and more modern in its methods than any other in the archipelago. But although the Jesuits provided the instruction, the Dominicans held the examinations. The Ateneo had a capable faculty of twenty-four instructors, and was supported by the municipality of Manila.

There were no other public schools for secondary education in any part of the Philippines. There were, however, so-called "private colleges," and "Latin schools." Of the former institutions those at Dagupan and Vigan were administered by Dominican Friars; those at Cebu, Jaro, and Nueva Cáceres by the Paulists. There was a sixth establishment of this sort at Guinobatan in charge of the Franciscans, and a seventh at Bacolod presided over by the Recoletos.

The private Latin schools were in charge of secular persons, who were, for the most part, Filipinos. There were some 25 of these schools in Manila, and 44 in other parts of the archipelago. The Dominican officials of Santo Tomas University exercised control over all of them, holding examinations when they chose to do so, and reckoning their pupils among those duly enrolled in their college of San Juan de Letran. They also absorbed the matriculation fees of the schools, but not those of the colleges. The character of the instruction in many of these private institutions, and the courses of study in all, left much to be desired.

Secondary education for girls was provided for by the schools of Santa Isabel, Concordia, Santa Rosa, and Looban, all in charge of Sisters of Charity. These Sisters also had schools at Jaro and Cebu. The Dominican Sisters had their college of Santa Catalina at Manila, and other schools at Lingayan, Vigan, and Tuguegararo.

It is imperatively necessary that the course of study prescribed for the secondary schools should be modernized, and that increased facilities should be furnished by the establishment of additional schools, which should be located with due regard to the distribution of population in the archipelago.

NORMAL SCHOOLS.

There are two normal schools in Manila, one for the education of male and the other for the education of female teachers. The former,

the so-called "Normal superior school," was established by royal decree in 1863, and its management intrusted to the Jesuit Fathers. Education in this school was of two grades, elementary and superior. The elementary course conferred the title "Teacher of primary elementary instruction," and ran through three terms. A longer and more thorough course was required in order to obtain the title of "Superior teacher." The title of "Assistant teacher of primary instruction" could be obtained by passing special examinations, which were held four times a year.

In connection with the normal school there was a school of primary instruction, which was conducted by scholars in the advanced courses, under the direction of a professor, and they were thus given practical experience in the exercise of their future profession.

Candidates for admission to the normal school were required to be 13 years of age, and to prove the fact by certificate of baptism, or other equally valid document; it was also provided that they must be free from contagious disease and sufficiently vigorous to perform the tasks and duties of a school teacher; they were obliged to show that they were of good character by a certificate signed by the parish priest of the town from which they came. The further requirements were as follows: ability to speak Spanish and to write ordinarily well; some knowledge of Spanish grammar, including regular verbs; some acquaintance with Christian doctrine; familiarity with the four fundamental rules of arithmetic.

No tuition was charged, the school being supported by the government, but boarding scholars were obliged to pay for their maintenance. Among the latter class there were, for a time, 15 pensioners of the Government, who were paid a monthly allowance of $10 each; upon receiving their degrees they were under obligation to practice their profession for a period of years. Unfortunately the Government did not long continue its policy of aiding worthy natives to fit themselves for teachers.

Other graduates were at liberty to follow their own inclinations after leaving the school, and, as already indicated, many of them felt that they could not afford to teach. In view of this fact, and of the additional fact that but 1,900 teachers have graduated from the normal school since its establishment, it may readily be seen that but a small proportion of the teachers employed in the year 1898 could have had a normal education.

This school is at present open and the United States authorities have continued the support formerly furnished it by the Spanish Government, paying it $8,880 (Mexican) annually.

Up to the year 1893 the title of "Elementary schoolmistress" was conferred by the director of civil administration at Manila upon graduates of the different "colleges" of the archipelago, after an exam-

ination before a board consisting of the civil governor, the rector of the cathedral, the director of the normal school, and the directress of the municipal school for girls, who was a Sister of Charity. Two additional members were elective and were changed every second year. The examinations, which covered the prescribed courses of primary instruction, were not strict.

By virtue of a royal decree dated March 11, 1892, and put into force the following year, a superior normal school for schoolmistresses was finally established at Manila, in charge of the Augustine Nuns of the Ascension, who came from the Royal College of Santa Isabel, in Madrid. This school conferred the titles "Elementary mistress" and "Superior mistress." The "colleges" of Santa Isabel and Vigan also had the right to confer the normal titles, the privilege having been granted them by royal decree.

Since an increase in the number of public schools in the Philippines will require an increased number of teachers, and since the normal schools which have existed in the past have been unable to meet the requirements of the schools already established, it follows that greatly increased facilities for the education of teachers should be provided as soon as practicable.

Among the many preposterous statements which have appeared concerning the Philippines, perhaps the most ridiculous is that the percentage of illiteracy among the civilized natives is lower than among the inhabitants of Massachusetts. That this could not possibly be true will be apparent to anyone who will stop to consider that in the year 1898 there was in Massachusetts one teacher in the public schools to each 189 inhabitants, while in the Philippines there was but one to each 3,500 of the more civilized inhabitants, or one to each 4,179 individuals of the total population. It is further interesting to note that the average monthly salary paid to men in Massachusetts in 1898 was $137.50 and that paid to women was $51.44, while in the Philippines men received from $7.50 to $20 and women from $5 to $12.50. Few, indeed, of the teachers in the Philippine schools had done work equivalent to the entrance requirements for a Massachusetts high school. The amount expended, in 1898, on the public schools by Massachusetts, with a population of 2,495,345, was $8,292,320.12.

The commission has not been able to secure the Philippine figures for that year, but in 1888 the total amount expended on education, exclusive of schools of agriculture, was $124,963.70 (Mexican). Of this amount, $86,450 was expended in Manila alone, *leaving but $38,513.70 for all the provinces.* On the school of agriculture and the experiment stations $113,686.64 was expended, giving a grand total of $238,650.34. In 1894 the grand total was $404,731.50. The commission is unable to ascertain how this amount was distributed, but it is probably safe to assume that the proportions were about as in 1888.

HIGHER EDUCATION.

The only institutions for higher education in the Philippines have been the Royal and Pontifical University of Santo Tomas, and the Royal College of San José, which has for the past twenty-five years been under the direction of the university authorities.

Santo Tomas was founded as a college by the third archbishop of Manila between the years 1603 and 1610. On November 20, 1645, it was raised to the status of a university by Papal bull. Meanwhile the Jesuit fathers had also established a university which had begun to confer degrees. Difficulties arose between the rival institutions, but they both continued to give degrees until the Jesuits were expelled from the colony in 1768. In 1785 Santo Tomas was styled a "royal university," and declared to rank with similar institutions in Spain.

In 1898 it was giving degrees in theology, canonical law, philosophy and letters, jurisprudence, and physical and chemical science. While far below the standard of an English, German, or American university, especially in its scientific departments, it has nevertheless educated many men who have since become eminent in various walks of life. This is especially true of the graduates of its law department.

The College of San José was founded by the Jesuit fathers in 1601, and was for some time chiefly maintained by donations from the families of the scholars. Subsequently money and property were contributed by various persons toward its support. During a considerable period it received aid directly from the King of Spain. Its original object was to educate the sons of Spanish inhabitants "in virtue and letters."

In 1768 the Spanish Government, exercising its right of vice-royal patron, took the college from the hands of the Jesuits and eventually turned its administration over to a canon of the Manila Cathedral. Successive canons continued to administer its affairs under Government control until 1875. At this time an important decree was issued reorganizing education in the Philippines, wherein it was provided that the College of San José should give instruction in medicine and pharmacy. The Government placed the direction of the institution in the hands of the rector of Santo Tomas. From this time on San José has conferred degrees in medicine and pharmacy.

San José is richly endowed. As a detailed history of the institution and the many vicissitudes through which it has passed is given in the volume of testimony, it need not be further described here.

SCHOOL OF ARTS AND TRADES.

A school of arts and trades was created in the Philippines in March, 1891. By decree of November 4, 1893, it was empowered to confer the titles apprentice, mechanical engineer, electrician, master of works, and mercantile "perito." That an institution of this sort might do excellent work in the Philippines is shown by the fact that in 1894 no less than 2,833 students matriculated, but owing to the failure to provide a suitable faculty and proper courses of instruction, the school practically came to naught.

SCHOOL OF AGRICULTURE.

The Manila School of Agriculture was created by royal decree of November 29, 1887. Its objects were as follows:

The theoretical and practical education of skilled farmers; the education of overseers; the promotion of agricultural development in the Philippines by means of observation, experiment, and investigation.

Agricultural stations were established in Isabela de Luzon, Ilocos, Albay, Cebu, Iloilo, Leyte, Mindanao, and Sulu. Although, owing to various causes, this institution has not been a great success, there can be no doubt that a properly conducted agricultural college, with experiment stations scattered through the archipelago at suitable points, would be of the greatest value to the inhabitants, and would materially aid in increasing the wealth of the Philippines.

It should be remembered that many of the more important products to-day grown in the islands were not native, but have been introduced. In the province of Benguet a strictly temperate climate is found, while the low-lying islands of the Sulu Archipelago are distant but 6° from the equator. Taking into consideration the wonderful diversity of climatic conditions thus afforded, it can not be doubted that much remains to be done in the way of ascertaining what new and valuable crops can be profitably grown in the Philippines.

On the other hand, the methods at present employed by the practical agriculturists of the islands are for the most part extremely primitive, and their speedy improvement is a thing to be desired and provided for.

NAUTICAL SCHOOL.

A nautical school existed in Manila for the education of "Pilots of merchant marine." The theoretical courses given extended over a period of three years, and were accompanied by practical instruction in navigation. The character of the work done is said to have been very good. This school, which was closed for a time during the war, has been reopened under an American naval officer.

SCHOOL OF PAINTING AND SCULPTURE.

The reorganization of this school, formerly called the Academy of Drawing, dates from the year 1892. The attendance upon it since its

reorganization has been from 200 to 300, and in spite of the inferior character of the instruction given, the fact has been demonstrated that some of the Filipinos have artistic ability of no mean order.

THEOLOGICAL SEMINARIES.

The seminaries which existed in the Philippines for the purpose of preparing the youth of the country to take orders were as follows: One at Manila, in charge of the Jesuit Fathers, and a second in charge of the congregation of San Vicente de Paul; seminaries at Cebu, Nueva Cáçeres, and Jaro, under the direction of the same order, and one at Vigan in charge of the Augustinians. These seminaries taught the studies of the secondary course, and in addition metaphysics, moral theology, liturgy, rubrics, Gregorian chanting, dogmatic theology, and theological topics. The two subjects last mentioned were not obligatory.

MILITARY ACADEMY.

A military academy existed at Manila for the education of the sons of army men residing in the colony, as well as for soldiers and non-commissioned officers who desired to fit themselves for promotion. Its graduates were eligible candidates for admission to the general military academy of Spain at Toledo. The instruction given seems to have been superior to that afforded in many of the institutions previously described, and the examinations were comparatively strict. The annual attendance was approximately a hundred.

This completes the list of important educational institutions which formerly existed in the Philippines.

CAPACITY OF THE NATIVE.

Considerable difference of opinion apparently exists among Philippine educators on this point. The Dominicans assured us that the native was dull in learning languages, while the Jesuits considered him quick, especially in early youth. All were agreed that mathematics were hard for him, but that he made a good mechanic.

He possesses remarkable patience and great manual dexterity. He is a natural musician, and, with his imaginative character, has a liking for art, but he has thus far shown himself to be an imitator rather than a creator. The few men who have proved exceptions to this rule are said to have been mestizos, or people of mixed blood.

The University of Santo Tomas has graduated a number of men who have become very able lawyers. Several Filipinos have shown good ability as chemists, and at least one was in a fair way to become a distinguished botanist when his career was cut short by death.

In the old days it was not altogether safe for a native to avail himself fully of the educational facilities theoretically afforded him at the

institutions within the archipelago, and if he went abroad to pursue his studies he was a marked man after his return. This fact was strikingly illustrated in the case of Dr. Rizal, who was eventually executed without just cause. His fate has been shared by many other prominent Filipinos in the past.

CONCLUSIONS.

In view of the facts above set forth, it must be admitted that the average native has never as yet had a fair opportunity to show what he can do. The attainments of some of his fellows who have had exceptional advantages have been such as to dispose the commission to credit him with ability of no mean order. He is at all events keenly alive to the drawbacks under which he has thus far labored and strongly desirous of securing better educational advantages.

In the opinion of the commission, the government established in the islands should promptly provide for the fulfillment of this reasonable and most praiseworthy desire by the establishment of an adequate system of secularized and free public schools.

To this end the present number of primary schools should be increased as rapidly as possible until it meets the needs of the population. The course of study given should be revised and suitable buildings and equipment provided.

The standard set for teachers should be gradually raised, and additional facilities should be provided for their education.

Their compensation should be sufficient to enable them to live comfortably.

Instruction in the English language should be introduced as speedily as practicable into the primary schools.

Secondary education should be taken in hand, the course of study thoroughly revised, and a moderate number of new schools established at suitable points throughout the archipelago.

The establishment of good agricultural and manual-training schools is especially recommended, as it is believed that such institutions are peculiarly suited to the present needs of the people.

Thorough supervision of the schools of the archipelago should be provided for under a secretary or commissioner of education.

It is evident that if these recommendations are carried out they will involve the annual expenditure of a sum greatly in excess of that which has thus far been devoted to meeting the educational needs of the Philippine Islands; and suitable measures should be taken for the raising of the necessary amount by taxation. The commission takes pleasure in recording the fact that it was everywhere and at all times assured, both by friendly Filipinos and by insurgent representatives, that the people of the islands would cheerfully bear almost any burden of taxation having for its object the provision of funds for a good

public-school system. It is our opinion that there is no other object on which liberal expenditure could be made with such certainty of good returns.

Those who desire to pursue the subject of education further are referred to the testimony of George P. Anderson, superintendent of public instruction in Manila; Father Santiago Paya, rector of the University of Santo Tomas; Father Miguel Taderva, S. J., director of the Ateneo Municipal; Father Pedro Torra, S. J., principal of the Normal School for Men, and to that of Señores Filipe Calderon and Mariano Sivencio del Rosario. The testimony of these gentlemen, and the documents and papers which accompany it, all of which will be found in the third volume of this report, give statistical information of a varied character concerning the various institutions hereinbefore described.

PART IV.—THE GOVERNMENT OF THE PHILIPPINE ISLANDS.

CHAPTER I.

THE SPANISH GOVERNMENT OF THE PHILIPPINES.

To ascertain the best form of government for the Philippine Islands, it seems necessary to study the government in the actual form in which it existed in recent years, then the reforms which the Filipinos desired in that system, and, lastly, the organization which seems most expedient in the light both of the aspirations of the natives and the spirit and traditions of American policy.

For the understanding of the Spanish form of government in the Philippines the following tables will prove instructive:

OUTLINE.

TERRITORIAL DIVISIONS.

Luzon and the Visayan islands are divided into	Provinces and districts.
Each province or district is divided into	Pueblos (towns).
Each pueblo is divided into	Distritos (divisions).
Each distrito is divided into	Barrios (wards).
Each barrio is divided into	Barangayes (groups of from 50 to 100 families).

GOVERNING BODIES CORRESPONDING TO DIVISIONS.

The governor-general, assisted by the council of administration, the board of authorities, and the general directorate of civil administration form the general government of the	Archipelago.
The governor of the province, assisted by the provincial council (junta), governs or rather supervises the affairs of the	Province.
The municipal tribunal, assisted by the principalia, administers the	Pueblo.
The cabeza de barangay (head of a hundred) represents the government as a sort of agent in the	Barangay.

The divisions called distritos and barrios are merely for the purpose of administration.

HOW GOVERNING BODIES ARE FORMED.

The governor-general is appointed by the	Government in Spain.
Council of administration:	
Three delegates from Luzon and three from the Visayan Islands elected by	Provincial councils (juntas).
Others appointed by	Spanish Government.
Governor of province appointed by the	Government in Spain.
Provincial Junta:	
Governor of province and five other officials	Members ex officio.
Four other members elected by	Municipal captains.
The municipal tribunal (captain and four lieutenants) elected by	Twelve delegates of the principalia (chief citizens).
Twelve delegates of the principalia chosen by the	Principalia.
The principalia is composed of—	
All persons who have held certain offices.	
Persons who have paid $50 land tax.	
The cabezas de barangayes are appointed by—	
The governor of the province on recommendation of the 12 delegates or "principals" and municipal tribunal, but practically elected by	Municipal tribunal.

MUNICIPAL GOVERNMENT.

The Maura law, which organized the municipal government of the Philippine Islands, applies to Luzon and the Visayan islands, different provision, mainly military, being made for the Sulu Archipelago and Mindanao. The natives of Luzon and the Visayan islands have in the main been civilized and christianized, and they live together in pueblos (city or towns). A municipal tribunal (council) was under the Maura law established in every pueblo of Luzon and the Visayan Islands, with the exception of Manila, Iloilo, Cebu, and some other places which it is unnecessary to mention here. This council is defined as the legal association of all the people living within the limits of the same pueblo, and is charged with the administration of its affairs and interests. This is the only home rule the Filipinos enjoyed, and by a study of the system and its operations we can gain an accurate idea of their experience in the administration of public affairs and, inferentially, of their capacity at the present time for self-government.

The governor-general of the archipelago is, by virtue of his office, president of every municipal tribunal, which, in addition, consists of five persons. These are the municipal captain and four lieutenants, who are designated, respectively, the chief lieutenant, the lieutenant of police, the lieutenant of fields, and the lieutenant of live stock. These offices are honorary, the incumbent receiving no compensation, and obligatory for those elected to them. The term of office is four years. While each municipal tribunal is independent of every other,

the law provides that different towns may unite together for the accomplishment of certain objects, such as the construction of public works, the foundation of schools and charitable institutions, the better protection of their industries, and also the fuller enjoyment of common property.

It has already been stated that the governor-general is the ex-officio president of every tribunal. It will be seen hereafter that the tribunal is also subject to the authority of the provincial governor and his council (junta). Meantime, however, it seems desirable to consider the relations of the municipal council to the people of the pueblo whose affairs it administers, and also the mode of its election.

The principalia or electors.—The most conspicuous feature in the method of selecting the council is the limitation of the franchise. Far from universal suffrage, the system does not even rest upon an educational or property qualification, but confers the right of voting only upon the principal persons (principalia) of the pueblos. By principalia is understood that aggregation or group formed in each town (pueblo), without fixed number, comprising all those individuals who have held office or are holding office or who pay $50 of land tax. More particularly, one at least of the following qualifications is demanded of those who become members of the principalia:

(1) To have been a gobernadorcillo under the old régime; (2) to have been a lieutenant of justice; (3) to be the "cabeza de baran gay" (head of 80 or 100 men) or to have been the holder of that office during ten consecutive years without any bad standing; (4) to be a past captain (capitan pasado); (5) to have been a municipal lieutenant during the legal time without any unfavorable standing; (6) to pay $50 land tax.

The principalia, as thus determined, constitutes the voting class of the population of every pueblo. No one votes who is not a member of the principalia, and the first and most important function of the principalia is to secure a municipal council. They do not themselves, however, elect directly the members of that council. They elect twelve delegates or "principals" who perform all the duties and functions belonging to the principalia.

The twelve delegates elected by the principalia.—It is required that the list of twelve delegates (principals) shall be made up in the following manner, namely: Six from the class who have served as "cabeza de barangay," three who have been "past captains," and the remaining three from those who pay the land tax of $50.

The term of office of each of the twelve delegates is four years. The office is honorary, gratuitous, and obligatory. It is arranged so that four delegates go out of office every two years.

The first and the principal duty of the twelve principals is to choose the members of the municipal tribunal, which body forms the active

government of the town, and the choice is effected by a majority vote. The powers and attributes of the twelve delegates chosen by the principalia are in detail as follows:

(1) To choose by majority vote the five members of the municipal tribunal; (2) to form jointly with the tribunal the ternas (list of three persons nominated to the governor of the province for the office of each cabeza de barangay (head of a hundred families)); (3) to assist in holding the auctions which the tribunal decide upon, the oldest two of the twelve delegates being appointed for this work; (4) to levy, in conjunction with the municipal tribunal, the taxes or imposts from which the public funds are derived; (5) to make out, together with the municipal tribunal and the reverend parochial priest, an account of the permanent resources with which the permanent expenses are to be paid; (6) to assist the municipal tribunal in fixing the per cent of taxation which is imposed upon land or rural property. The reverend parochial priest also assists in this work; (7) to assist the municipal tribunal in deciding upon what public works of a cost less than $400 shall be constructed. In case the cost of the work is to exceed $400 the approval of the governor-general is also necessary. The reverend parochial priest also assists in this work; (8) to decide with the municipal tribunal and the reverend parochial priest upon modifications which are to be made in the account of expenses and resources; also, to approve any authorization of expenses occasioned by extraordinary necessity; (9) to revise, jointly with the municipal tribunal, the accounts which the captain of the tribunal presents on the 15th of February each year.

The municipal tribunal (in general).—The municipal tribunal is composed of a captain and four lieutenants, namely, the chief lieutenant, a lieutenant of police, lieutenant of fields, and lieutenant of live stock.

These members of the tribunal are all elected by the twelve delegates of the principalia. The office is honorary, gratuitous, and for a term of four years.

The municipal tribunal is the body which has in charge the active work of governing the pueblo. It is something like the common council known in cities in the United States, but the analogy does not go far. The tribunal is a very important corporation. Its functions can be divided into two classes: (1) Administration of public works, etc., and (2) the detail work of taxation.

(1) More specifically the tribunal has charge of the organization of the town, its interior government, the schools, health and sanitation, encouragement of agriculture, industry, and commerce, the care of municipal buildings, municipal services, policing, roads, etc.

(2) The other class of duties includes the collection of all the rents and revenues derived from public property, the determination, collection, and investment of all the taxes and imposts necessary to defray

the expenses of government and the execution of public works, and the keeping of the accounts of the same.

The captains of the various tribunals in a province meet and elect the four elective members of the provincial council (junta).

The captain.—As has been said above, the captain of the tribunal is chosen by the twelve delegates of the "principalia."

To be a captain of a tribunal one must be a native or a mestizo de sangley (Chinese-Filipino, second generation) more than 25 years old, a resident of the pueblo, a resident of the town for four years preceding his election, be able to speak and write Spanish, and have been cabeza de barangay for six years with good standing and free from debt, or be at the time cabeza de barangay, having served four years without any unfavorable standing. He must not at the time of his election be one of the 12 delegates of the "principalia," or be drawing any salary from the state in any way, or continue to hold another position in the government.

Duties of the captain.—It is the duty of the captain to preside over the municipal tribunal whose representation he assumes, publishing and executing all its acts or suspending them when they are not properly under the jurisdiction of the tribunal, or are prejudicial to the interests of the people, or dangerous to the public order.

In addition, it is the duty of the captain (1) to publish orders for the city or rural police; (2) to inspect the schools and municipal offices; (3) to name or suspend the officers, the assistants, or clerks of the municipal tribunal whose existence is authorized in the appropriation for expenditures; (4) to direct the administration of the pueblo; (5) to order the payment of taxes; (6) to demand the prompt payment of taxes, and (7) to preside at the public auctions which the tribunal decides to hold.

The captain also has disciplinary jurisdiction and can impose a pecuniary fine, or can issue an order or note of warning when any offense is committed within the limit of his jurisdiction.

The lieutenants.—The other members of the tribunal besides the captain are the four lieutenants—the lieutenant mayor, the lieutenant of police, the lieutenant of fields, and the lieutenant of live stock. The lieutenants are elected in the same manner as the captain, and have to have the same qualifications, with the sole exception that it is not necessary to have been a cabeza de barangay for any specified time; to have held the office is sufficient.

The term of office of the lieutenants is four years, two retiring every two years. The office does not carry compensation, and the duties are obligatory.

The special duties of lieutenants.—In general terms it may be said that the duties of the lieutenants are inspection and jurisdiction over

their respective departments of government. Their duties are regulated by special act. Briefly and in general terms they are as follows:

The lieutenant mayor takes the place of the captain when the latter is unable to preside on account of illness, absence, or impeachment, and when acting for the captain he has the same powers and duties as are given to the captain. He also has the duties formerly given to the sindico. In this latter capacity the lieutenant mayor signs with the captain all bills, accounts, etc.

The lieutenant of police supervises the cleaning of the streets and the ornamentation of the same; he also inspects bridges, houses, stables, yards, and parks. He must not permit scandals of any kind, any amusement which is not legally authorized, games to be played in the streets which interfere with travel, or allow any animal to run loose in the streets. He also has charge of the policing of the town. The lieutenant of fields encourages agriculture and tries to improve the condition of the rural districts. He must not permit timber lands to be used for cultivation. He also carries out any orders that the tribunal may issue to him.

The lieutenant of live stock passes upon all the credentials of ownership of live stock, as well as all transfers of the same. No exchanges or sales of live stock can be made without the knowledge of the tribunal. He further sees that diseased animals are kept apart from the others. He also sees that all decrees of the tribunal in regard to live stock or slaughterhouses are carried out.

Disciplinary jurisdiction over the municipal tribunal.—The governor-general, as president ex-officio of all municipal tribunals, and the governor of a province, as delegated representative of the governor-general, can exercise disciplinary jurisdiction over the municipal tribunals as bodies or over their members.

The governor-general, after being advised by the council of administration, has exclusive authority to discharge a member of a tribunal or even the entire tribunal. The governor-general can also overrule a suspension made by the governor of a province, providing the suspension has not been in effect more than fifteen days.

The governor of a province can (1) warn; (2) admonish; (3) impose a pecuniary penalty (maximum of $12 for captain and $6 for lieutenant); and (4) suspend the members of a tribunal or the tribunal as a body for a period of not more than three months. In case of suspension the governor has to consult with the provincial council and get its approval.

When a member of a tribunal has been disciplined by the governor of a province, the member may appeal to the governor-general for a reconsideration of his case. The governor-general then consults the provincial council in regard to the matter.

When a vacancy is created by a suspension of a member of a tribunal, one of the two supplementary members previously elected by the twelve delegates of the electors is assigned to the vacancy. In case more than two vacancies are created by suspension, the election of new members does not revert to the twelve delegates, but to the governor of the province, who makes an appointment after consulting the provincial council in regard to the matter.

Resources of the municipal tribunal.—Under the Maura law the collection of the taxes and the distribution or use of the funds were given to the municipal tribunal. The funds, however, are kept in the chest or treasury of the provincial council in the capital of the province. The provincial council exercises an important check on the municipal tribunal, since it is required that the council approve all new taxes or imposts before they are levied, approve all expenditures, bills for erection of public works, and the accounts of all receipts and expenditures.

The revenues of the town are derived, as authorized by the law, from the following sources: Taxes on (1) fisheries, (2) credentials of ownership of live stock, (3) deeds, (4) rents derived from public property, (5) taxes on billiard rooms, (6) on theaters and horse races, (7) markets, (8) slaughterhouses, (9) bridge tolls and ferry tolls, (10) inclosures for animals, (11) lighting and cleaning the streets, (12) a charge of 10 per cent on the city tax, (13) penalties levied in the municipality, (14) taxes on rural property as decided upon by each tribunal, (15) commutation money in lieu of labor on the roads, and (16) such other taxes as may be decided upon in due form.

The municipal tribunal can choose certain ones of the above-named methods of raising revenue, or can make use of them all, provided that the consent of the twelve delegates of the principalia and the reverend parochial priest is obtained in the matter. The municipal tribunal, with the consent of the principalia and the reverend parochial priest, can decide what per cent of taxation shall be levied on rural property. This tax is kept separate from the others and the funds derived from it can only be used for the construction of public works in the pueblo where the tax is levied. The funds derived from the tax are also deposited in the treasury of the provincial council, but a separate and distinct account is kept of them.

Estimates of receipts and expenditures of the municipal tribunal.—One of the first duties of the municipal tribunal after it meets for the first time is to formulate an account of the expenses which it estimates will be indispensable for the maintenance of the government for the ensuing year. At the same time that this is done the tribunal, with the assistance of the twelve delegates and of the reverend parochial priest, forms an account of the incomes that will be derived from the different methods of taxation. This estimate of income is, of course, adapted

to the estimate of the expenditures. Once made out, these estimates of receipts and expenditures can not be changed except in the manner prescribed by law. A copy is kept in the office of the tribunal and in the office of the provincial council. These copies serve as a check on all transactions in regard to the public funds. These estimates are kept from year to year and are only altered to suit the conditions.

Before these estimates which the municipal tribunal makes out are put in force they must be approved by the provincial council, which body examines them in order to prevent any abuse or misuse of the funds. The council then recommends to the governor of the province that the estimates be approved or that they be modified in certain ways.

A change can be made in the estimates if such a change is agreed upon by the twelve delegates, the tribunal, and the reverend parochial priest. No change made during the year can take effect until the year following. Notice of any change must be sent to the governor of the province.

The money derived from land tax is not included in the account of resources; nor is the money expended in public works included in the account of the expenses. As the land tax is reserved entirely for expenditures connected with the public works, these accounts are kept separate.

The collection of taxes.—As has been stated above, the municipal tribunal has charge of the levying, collection, and administration of the taxes of a town. The municipal tribunal can, if it sees fit to do so, lease the collection of any tax or taxes except the one on land and rural property. No lease of this kind, however, can be made for a period of more than three years.

When the municipal tribunal decides that it will farm the collection of certain taxes, a public auction is held. The captain of the tribunal presides at this auction and he is assisted by a lieutenant and the oldest two members of the twelve delegates. The provincial council makes regulations pertaining to these auctions. Taxes not farmed are collected by the cabezas de barangayes, or other officers designated by the tribunal. The members of the tribunal are personally responsible for the amount intrusted to the persons appointed for the collection of the taxes. The collector of taxes is not responsible for the taxes which he fails to collect when failure to collect them is not due to negligence or bad faith on his part.

The officer in charge of the collection is required to make a weekly deposit with the captain of the tribunal, such deposit including all the taxes collected up to that date. For such deposit the captain gives the collector a receipt and himself retains a duplicate of the receipt.

Examples of taxes.—The royal decrees authorize the municipal tribunal to establish imposts strictly for its own use and for the benefit

of the pueblo. These imposts are, as has been stated, laid on markets, slaughterhouses, fisheries, fords, and ferries, certificates of ownership of property or animals, certificates of transfer of property, and inclosures for animals.

A market is a place where the residents of the pueblo sell their wares and products. The municipal tribunal delegates a person to levy a tax on all persons using the market, the tax being in proportion to the amount of goods that are sold. The municipal tribunal of an average town generally collects in this way $25 or $30 every three months.

Generally there are no public slaughterhouses in the towns in the Philippine Islands, and those who wish to kill an animal, such as a cow, buffalo, pig, goat, or sheep, have to do it at their own houses. Before doing so, however, they must notify the municipal tribunal in order that bills and receipts may be sent for the collection of the tax. A fine is imposed on anyone who kills an animal and does not notify the municipal tribunal. The tax levied varies according to the kind of animal which is killed. The following is an average rate: Sheep, 50 cents; buffalo or cow, $1.50; pig, 25 cents; goat, 25 cents. Charging a tax according to the scale given above, the municipal tribunal should derive from $15 to $25 every three months from this source of revenue.

A charge is levied on all fishing in the rivers within the limits of the pueblo. Any resident or nonresident who wishes to fish in any stream must obtain a ticket of permission from the municipal tribunal. This ticket costs as follows, according to the class of net used: First-class net, $2.50; second-class net, $1.50; third-class net, $1; fourth-class net, 75 cents; fifth-class net, 50 cents; sixth-class net, 20 cents. The permission granted by the municipal tribunal is good for one year.

When there is no bridge over a river a charge is levied for ferrying persons and carriages across. These ferries are sometimes called fords, for they are operated by workmen who tug the rafts or boats by wading through the rivers. The men who operate these ferries are employed by the municipal tribunal, and hence the profits go to the corporation. Anyone who wishes to cross a river must purchase a ticket and pay as follows, according to the kind of conveyance he is using: If traveling with four-wheeled carriage, 20 cents; if traveling with quilez or carramata (two-wheelers), 10 cents; if traveling with loaded cart, 5 cents; if traveling with cart with springs, 7 cents; if traveling with empty cart, 3 cents; if traveling horseback, 2 cents; if traveling on foot, 1 cent. A scale of prices like that given above nets from $40 to $45 every three months.

The municipal tribunal issues to persons wishing to certify to or transfer their ownership of animals a certificate of ownership. Each of these certificates costs 15 cents. This small charge nets from $10 to $15 every three months.

In nearly all of the towns there are inclosures for animals where peo-

ple can leave their live stock and not have them lost. These inclosures are watched very carefully by the stewards of the municipal tribunal. Owners of cattle who make use of the inclosure have to pay 5 cents daily. These inclosures net a revenue of from $10 to $15 every three months.

A pecuniary penalty is imposed upon all persons who refuse to obey the orders of the municipal tribunal. The penalty is called a municipal fine. The fines are collected by means of receipted bills made out by the first lieutenant and signed by the municipal captain. These receipts cost 50 cents, $1, $2, or $5, according to the gravity of the offense committed. From this source of revenue $20 or more is collected every three months.

The tax on carriages, carts, and horses, and also on weights and measures, is leased by contract. The money derived from these imposts is deposited in the treasury of the provincial council in the capital of the province. The tax upon cock fights is always leased by contract and the money derived from the same deposited with the administrator of the provincial treasury, in the capital of the province.

Below is given a recapitulation of the taxes imposed by the municipal tribunal. The estimates given are what can ordinarily be collected in the towns where there is not much life in the markets and slaughterhouses. The annual income derived from the impost upon markets is $100; upon slaughterhouses, $60; upon fisheries, $100; upon ferries, $160; upon inclosure for animals, $40; upon municipal fines, $80; upon certificates of ownership, $40; total, $580.

Land tax.—A tax on land or rural property when decided upon by the tribunal and approved by the twelve delegates of the principalia and the parochial priest applies to uncultivated as well as cultivated lands. When such tax is to be levied a detailed list of all the land or rural property in the pueblo is made out, giving the extent, limits, value, etc., of the same. A duplicate of this list of property is then sent to the provincial council. The council then makes an abstract of this list and sends the abstract, giving the figures, to the governor of the province, who in turn sends it to the governor-general.

When one's property does not correspond to that given for him in the list he can remonstrate. This remonstrance must be directed to the provincial council. The council then recommends to the governor of the province its decision in the matter, and the governor of the province acts on the same.

The disposition of taxes.—The taxes having been collected and paid to the captain of the municipal tribunal, the captain in turn deposits them in the treasury of the provincial council. This deposit of taxes must be made every three months, the captain himself going to the capital of the province or sending a representative. The captain is responsible for the funds up to the time they are deposited in the

treasury of the council. The deposit of moneys in the treasury must be accompanied by a detailed account in duplicate showing from what sources the money deposited is obtained.

A good check is kept on the state of the finances of a town by means of estimates which will be described below. At the beginning of the year an estimate of receipts and expenditures is carefully made out, copies being kept in the office of the tribunal and in the office of the provincial council, to avoid any embezzlement or overdrafts.

The keys of the treasury in which all the moneys are deposited are kept by three persons—the provincial attorney, the administrator of the treasury, and a member of the principalia. These three keepers of the keys to the treasury are individually responsible for the funds therein deposited, each being thus a check on the other.

On the same day, once in three months, on which the captain deposits the funds of the town in the treasury of the council, he also draws out from the treasury the amount necessary to pay the expenses and debts of the tribunal for the following three months. This withdrawal of funds from the treasury must be strictly in accordance with the estimate made out at the beginning of the year.

The statement of receipts and expenditures made out by the captain is passed upon and certified to by the chief lieutenant. A copy of this account is kept by the municipal tribunal and another by the provincial council.

As will be seen from what follows in regard to the estimates, the tribunal calculates each year on only enough receipts to pay the expenses of the government, so that there is little or no balance left in the treasury at the end of the year.

The expenses of the municipal tribunal.—The estimate of expenditures aside from the expense of constructing public works, includes the general expenses of the municipal government. The expenses allowed in the estimates must come under one of the following heads: (1) Expenses obligatory to the town, such as a subscription to the Manila Gazette, maintenance and transportation of troops, care and transportation of prisoners, and salaries of police. (2) The payment of public servants, clerks, etc., engaged in the tribunal, police duties, administration of taxes, etc. Also a pro rata for the maintenance of the provincial council, whose expenses are apportioned among the towns of the province. (3) The expense of keeping the roads and public buildings in good condition. (4) Expense of office material, etc., for the use of the tribunal and the public officers. (5) A certain sum for unforeseen expenses. This amount must have a certain proportion to the total expenses, according to specific regulations. (6) Expense of cleaning, sanitation, and ornamentation of the town. (7) The expense of public festivities and celebrations, which must bear a certain proportion to the amount utilized for objects under number 6. The regu-

lations specify what this proportion shall be. Expenses of a transitory nature, such as might be occasioned by an epidemic, or of any other extraordinary nature, can not be figured in the permanent estimates and must be rendered separately.

An increase in the expenditures above the amount stated in the estimates of permanent resources can not be approved and is considered illegitimate, except extraordinary expenses agreed upon. The captain and those incurring any expenses with him are responsible for any increase not provided for in the estimates.

Examples of expenses.—The following is a statement of the annual expenses of a pueblo of about 20,000 people: Secretary, at $8 per month, $96; first writer, at $6 per month, $72; two second writers, at $4 per month, $96; third writer, at $3 per month, $36; two alguaciles, at $2 per month, $48; total, $348. Six cuadrilleros (rural police), at $1.25 per month, $90; desk and light, about $5 per month, $60; total, $150. For conducting prisoners, $40; for public works (estimated), $20; for contingent expenses (estimated), $40; for the public feast (estimated), $100; total, $200. Grand total, $698.

It often happens that the amounts estimated for conducting prisoners, for public works, and contingent expenses and public feast are not spent for these purposes. There have been municipal captains who stole the moneys appropriated for these purposes.

Public works.—All accounts in regard to the construction of public works are kept separate, the moneys for this purpose being derived from the land tax, which is also kept separate from the other taxes.

The tribunal has charge of all works of a communal nature and is free to construct such works as it sees fit, providing such works will not cost more than the resources of the town can pay. Works of extraordinary expense are constructed by the General Government.

If a public work, such as a bridge or a new road, will not cost more than $400, the municipal tribunal, with the consent of the 12 delegates and the parochial priest, can order its construction. If the work will cost more than $400 and less than $2,000, the matter must be submitted to the council, in order that the council may notify the governor of the province and obtain his approval to the project. If the cost will exceed $2,000, the project must be referred to the council, the governor of the province, and then to the governor-general, the approval of the governor-general being necessary before the project can be carried out.

When the actual cost of any public work exceeds the estimate, the matter must be referred to the provincial council. That body examines into the matter and decides as to whether or not the persons in charge of the work were justified in going beyond the first estimate. The council then recommends either that the surplus expense incurred be paid out of the treasury of the town constructing the work or that the persons in charge of the work be held responsible for the surplus.

The construction of the public works is carried on under the direct supervision of the municipal tribunal.

Within twelve months after the completion of the works for which permission is granted, the captain of the tribunal must render a detailed account of the expense and accompany the account with vouchers for the various items. This account is audited by the council and passed on to the governor of the province for his approval or disapproval. The governor of the province in turn notifies the governor-general in regard to the matter.

What is known as "personal prestacion" enters into the accounts of the construction of public works. This is commutation money in lieu of labor on public works. Certain persons are taxed so many days' labor on the public works. They can if they prefer pay so much into the funds for the construction of the works, and thus get out of working. The rate allowed per day is something like 60 cents. The matter is regulated by a direct order from the captain of the tribunal.

Accounts of the tribunal.—To prevent any fraudulent use of the funds or uncalled-for expense the manner of keeping the accounts of the town is carefully regulated. An account of the receipts and expenditures of the municipal tribunal must be rendered at the end of every year by the captain. The tribunal and the twelve delegates of the principalia receive the accounts in the first fortnight of February and carefully revise the same. They then sign the accounts, approving them entire or only certain portions. If a lieutenant or delegate of the principalia does not sign the accounts as approving or disapproving them, it is understood that he approved them.

Some time during the remainder of the month the reverend parochial priest examines the accounts and the signatures attached thereto by the lieutenants of the tribunal and the twelve delegates. He then passes his opinion on them and recommends to the governor of the province that he should approve the accounts or hold some one responsible for a misuse of funds, or for those parts of the accounts not approved.

All the lieutenants and delegates who approve the accounts either actually or tacitly are held responsible for any misuse of funds discovered in the accounts. The captain of the tribunal and those who incur the expense with him are responsible for any expenditure in excess of that included in the estimates, whether that excessive expense be for the public good or not. The parochial priest has no responsibility connected with the accounts, since he only gives advice in the matter.

The accounts of the captain must include all accounts which were included in the estimates of resources and expenditures made out at the beginning of the year, all extraordinary expenses agreed upon and approved by the governor-general, and also an account of all items connected with public works completed or begun. The account of

any extraordinary expense, however, must be made out separately. An account of the working out of the "prestacion" must also accompany the accounts which are sent in to be approved or disapproved by the tribunal and the twelve delegates of the principalia.

Cabeza de barangay.—The cabeza de barangay is one of the oldest institutions in the Philippines, the officer being the "head" of a group of inhabitants composed of from 100 to 150 families. Formerly the cabeza exercised many functions of the government, but under the Spanish régime the office has gradually degenerated until the person who fills it enjoys little but the ill-will of his district. The function he exercises was that of a representative, or better, an agent for the government.

The cabeza de barangay is elected, for all practical purposes, by the municipal tribunal and the twelve delegates of the principalia in joint session. The reverend parochial priest is also present at the meeting and gives his advice. At this joint session three candidates are chosen for the position of cabeza and their names are arranged in one, two, and three order on a paper called the "terna"—a list of three. This terna, which also states the qualifications of the different candidates, and which is signed by the lieutenants and the twelve delegates, is then sent to the governor of the province. The governor of the province makes a selection of one of the three and this one is proclaimed the cabeza de barangay. It is said that the original nomination of the candidates is made by the captain of the tribunal, he having visited in person the barangay and consulted with the people in regard to the matter. The tribunal and the delegates then act on the names the captain suggests, carrying out the election in the manner given above.

Duties of the cabeza de barangay.—The principal duty of the cabeza de barangay is to collect the taxes and imposts from the people under his jurisdiction. He also has the duty of making out the padrón or detailed account of all the people residing in his barangay, giving their ages, occupation, and other data which will be of assistance in making up the list of cedulas (taxed certificates of identification). The cabeza is also expected to inform the tribunal of all that happens in his barangay, to inculcate morality among his people and assist in maintaining peace and order.

The padrón mentioned above is made out in triplicate, and after being examined and approved by the municipal tribunal one copy is sent to the administrator of the provincial treasury, another is kept by the tribunal for use in distributing cedulas, and the third is preserved as a basis for the padrón for the following year. The cabeza de barangay also makes out a triple list of the persons in his barangay who are obliged to work fifteen days on the public works. This list or padrón is acted upon in the same manner as the other, two copies being sent to the council for safe-keeping, and the other being used by the officials in charge of the public works.

Qualifications.—To become a cabeza de barangay, a person must have the following qualifications: (1) He must be a native or mestizo de sangley (Filipino-Chinese, second generation); (2) he must be more than 25 years old; (3) he must have been for two years preceding his election a resident of the pueblo in which he performs his duties, and (4) he must be known as an honest and reputable man.

The term of office of the cabeza de barangay is for three years. There is no limit to the number of terms that a person can serve as cabeza de barangay.

The cabeza de barangay receives as compensation five per cent of the taxes collected, free certificates of identification for himself, his wife, and his eldest son, and the assistance of two "polistas" in his work.

The reverend parochial priest.—It will be noticed that there is scarcely any branch of the municipal government in which the reverend parochial priest does not play an important part. It is true that his powers are limited to inspection and advising, but in practice he is said to make himself a power in the pueblo by simply using these attributes effectively.

In the first place, the parochial priest is considered a member of the principalia, but a member without a vote. He merely advises the principalia in choosing the twelve delegates. In the municipal tribunal he sits with the others and advises them in regard to their deliberations. He also assists in choosing the cabeza de barangay, but in this case, as in all others, he does not have a vote, but simply advises.

In general, it may be said that the reverend parochial priest assists in all the meetings of the municipal tribunal, whether that body meets alone or in conjunction with the twelve delegates of the principalia. He has the right to intervene in all business conducted by the tribunal, gives his opinion in regard to the approval of bills presented by the captain, and advises the town officials whenever occasion offers.

In detail the duties of the parochial priest are as follows: (1) He assists in choosing the members of the municipal tribunal; (2) he revises the act and makes sure that the officials are properly elected; (3) he signs the certificate of election; (4) he assists and supervises the drawing of lots whenever that is necessary to determine who shall go out of office first; (5) he signs a statement certifying to the result of the drawing of lots; (6) he assists the municipal tribunal and the twelve delegates in choosing or nominating the cabeza de barangay; (7) he becomes a member of the provincial council when there is only one foreign vicar in the province; (8) he assists the tribunal in deciding upon the questions relating to taxes and imposts; (9) he signs the estimates of permanent receipts and expenditures; (10) he assists the tribunal in deciding upon the construction of public works; (11) he assists in making any modification in the estimates of permanent

receipts or expenditures; (12) he assists in deciding upon any extraordinary expenditures of the tribunal; (13) he gives his opinion on the accounts presented to him by the tribunal before the same are sent to the provincial council; and (14) he has the power to decide at what hour the meetings of the tribunal in which he is to take part shall be held.

Since the duties of the parochial priest are only those of advising and inspecting, in any session in which he takes part, he is not counted in the number of those who must be present to make the deliberations valid.

The cuadrilleros or rural police.—In nearly every town in the archipelago there is stationed a division of the civil guard of the province. It is its duty to maintain public security and order, and according to the importance of the towns is composed of the following or a portion thereof: One captain, 1 lieutenant, 1 sergeant, 4 corporals, and 32 soldiers.

The captain of the cuadrilleros must always be a very honest and educated man and should also have some military capacity. Those who have been municipal captains are preferred for this office, because it is of the same rank as the one they have previously held. The captain of the cuadrilleros orders and distributes the services of the men under his command. This office is without any remuneration, but after ten years of service the person aquires the same privileges as the one who has been municipal captain for the same length of time and has the rights of a principal in the elections and meetings of the municipal tribunal.

The lieutenant of the cuadrilleros has the same duties as the captain of the cuadrilleros and he takes the place of the captain when the latter is absent from his duties for any cause. The first lieutenant also derives the same privileges after ten years of service as does the captain.

The sergeant of the cuadrilleros has charge of the soldiers and supervises their military services. For this reason persons who have been soldiers in the army are preferred for this office. The sergeant receives no salary, but may be promoted.

The corporal of the cuadrilleros has charge of the patrols, the guarding of the tribunal's house, and the policing of dark and suspicious places.

The soldiers of the cuadrilleria do duty at the tribunal's house and in the town, and also act as guards in the public prisons at the capital of the province. For this latter work they do not receive additional pay, but receive the regular $1.25 a month. The arms of the cuadrilleros consist of lances, machetes, and bolos. They do not have any firearms.

To become a soldier in the cuadrilleria one must be chosen by six delegates, who act for the community. These six delegates are as

follows: Three of the cabezas de barangayes in office at the time and three who have served as captains or as cabezas de barangayes. The election is held under the presidency of the captain of the cuadrilleros, the soldiers being chosen by acclamation. Bachelors who have passed the limit of "quinta"—the drafting of 1 out of 5 for the army—and the sons of delegates and of rich people are preferred for the appointments in so far as the regulations will permit. After the election has been held minutes of the same are made out and signed by all who are present at the election. The parochial priest then certifies to the same and they are sent to the governor of the province for his approval.

The justices of the peace.—A royal decree in the year 1890 established in each town in the Philippines the office of "juez de paz," for the purpose of administering peace and justice to the inhabitants of the pueblos.

To be eligible to the office of justice of the peace it is necessary that the person be for two years at least preceding the election a resident of the town; that he be more than 23 years old; that he know how to speak, read, and write the Spanish language; that he possess one or two academic titles; that he be well known as an honest, honorable, and industrious man; that he have sufficient means of subsistence, and that he be free from any criminal or legal prosecution in any tribunal of justice.

When the time comes for the election of the juez de paz, the chief judge of the province sends a letter to all parochial priests of the towns of the province and asks them for proposals of persons for the office. The priests make their proposals after having conferred with members of the principalia and obtained their opinion. The judge of the province also asks the civil governor to propose men for the office in the different towns. After all the proposals have been received they are sent to the audiencia in Manila in order that this supreme court may examine the list and make the nominations. The supreme court almost invariably nominates the first person on the list (terna) unless some particular person has been especially recommended.

Functions of the justice of the peace.—The justice of the peace should understand how to render judgments in both civil and criminal cases. In civil matters the jurisdiction of the justice of the peace is limited to cases where less than $200 is involved. Cases involving the sum of $200 or more are passed upon by the chief judge of the province. In criminal cases, the justice of the peace hears only the preliminaries and passes the case up to the principal court of the capital of the province for sentence.

The justice of the peace is aided by a secretary who directs and advises the justice in all his work, by two "witnesses," by two or three writers, and two alguaciles, who act as porters in the court-house

and also serve papers. These men receive no salary, but get a percentage of the costs levied on the litigants in each case. These minor officers are chosen by the justice of the peace and their nomination is approved by the principal judge of the province.

There is also a substitute for each justice of the peace who serves for the justice when the latter is sick or compelled to be absent from his duties. This substitute also assumes the duties of the office whenever the justice gives it up. The substitute is appointed by the audiencia at Manila in the same manner as the justice, the nomination being made by the parochial priests.

The members of the court take possession of their respective offices as soon as they are appointed. Members of the principalia are invited to take part in the inauguration, and after this formality has been finished the secretary draws up a minute of the proceedings, which is signed by all those present. Two copies are made of this minute, one for the principal court of the province and the other for the archives of the town court.

Unstamped paper is used in the courts of the justices of the peace, but the paper is afterwards "reintegrated" by the state, a charge of from 5 cents to $2 being made, according to the importance of the case.

In the capacity of a civil court the justice of the peace renders judgments in cases relating to disputes over the possession of property, inheritances, legacies, etc., when the sum involved is not in excess of $200.

Municipal or communal home rule among the ancient Filipinos.—Both on account of the inherent importance of municipal administration to the body politic and especially because of the limitation of the political activities of the Filipinos to this single sphere, it has seemed desirable to describe in detail the system which has been in operation in the archipelago since the enactment by the Spanish Cortes in 1893 of the reform measure introduced by Señor Maura, then minister of the colonies. The Maura law was intended to abolish the crying evils of excessive centralization which had always characterized Spanish government in the Philippines and to restore to the Filipinos, under other conditions, some of the functions of local government which they had been accustomed to exercise before the time of the Spanish conquest in the sixteenth century. The institution of the "barangay," or "hundred," with its chief or head (cabeza), which is the historical administrative unit of the Filipinos, seems, if dependence may be placed upon etymology, to go back to the remote period of the immigration of the Malayan peoples into the Philippine archipelago. At any rate, the Spaniards found the institution in force among the natives, and it is one of the titles of Legaspi to fame as a statesmen that he was willing to recognize and knew how to use it. But as

Spanish sovereignty strengthened itself in the islands the chiefs or heads of the "barangay," who appear originally to have come to the office by hereditary succession, were gradually shorn of their power and influence and reduced to the level of the masses, who, deprived of their natural leaders, to whose guidance they had become habituated, easily fell victims to the heavy hand which struck down all intermediate dignities and powers between the omnipotent Spanish ruler on one side and the helpless Filipino subject on the other.

The process of leveling, of overturning native authorities and destroying native institutions, kept pace with the progress of Spanish arms, until nothing but useless rudiments remained, at least in Luzon and the Visayas, when Maura inaugurated the reform of municipal government along lines which have already been indicated. In Mindanao and the Sulu Archipelago native chieftains (datos) with their primitive councils and institutions still survive; for in these parts of the archipelago Spanish arms never succeeded in subjugating the inhabitants. This is why the Maura law was restricted in its operation to Luzon and the Visayas. In those other parts of the archipelago which have only been slightly touched by Spanish influence, and in which native institutions still flourish in their original vigor, Spain ruled through the native datos or chiefs, with whom she made agreements, as England did with the kindred tribes of the Malayan States; a policy which the United States has already followed with the sultan of the Sulu Archipelago and is now continuing among the chieftains of the numerous tribes who inhabit the vast and little explored island of Mindanao.

Evils of Spanish centralization in government.—The evils of excessive centralization in the government of the Philippines came in time to be recognized in Spain itself. It was felt that a great mistake in policy had been made, and that the results had been disastrous. The local institutions of the archipelago had fallen into such decay and confusion that their several members were atrophied and useless, if not indeed transformed into instruments of corruption. Where names remained, functions had changed; and offices, like chief of the barangay, which were once sought as the highest honor, had degenerated into base, ignoble, and odious charges which no self-respecting man would voluntarily accept. Service as chief (cabeza) of barangay was made compulsory. All manner of excuses had been devised to escape it. Nor is it surprising to anyone who knows the facts of the case; for, as a reputable Manila newspaper stated in 1893, "nine-tenths of the cabezas de barangay during the last twenty years have been ruined in the discharge of their offices." And as the office of cabeza de barangay was the vital organ of the whole municipal economy of the Filipinos, no other illustration is needed to show the malignancy of the disease by which it had been corrupted.

Some observations on the foregoing system of municipal government in the Philippines.—After the explanations which have been given concerning the origin and object of the last system of municipal administration established by Spain in the Philippine Islands, it seems worth while to call attention to some peculiar features of the system which bear strongly the impress of the aims and circumstances in which it originated. The most striking to an American observer is undoubtedly the subordination and even subserviency of the municipal tribunal to other authorities. The members of the tribunal are subject to admonition, fine, or suspension by the governor of the province, while the governor-general of the Archipelago is authorized to dismiss individual members of the tribunal or even the entire corporation itself. Such insecurity of tenure is incompatible with vigorous initiative in office; such danger of punishment is fatal to independence. Nor is this, although the supreme, the only serious restriction. The Maura law itself closely confines the free activities of the municipal tribunal; and, in the exercise of its prescribed, and especially of its discretionary functions, constantly subjects it to the inspection and supervision of the provincial council. Indeed, as will appear more clearly hereafter, the provincial councils—the whole machinery of the provincial government apart from the governor—are not charged with the direct administration of the affairs of the provinces, but solely with the inspection and supervision of the bodies which administer the affairs of the pueblos, that is, of the municipal courts.

The intervention of the reverend parochial priest has already been described; it is only necessary to add here that though the law describes him merely as an adviser, he becomes in fact, in virtue of his personal authority, influence, and training and by reason of the multifarious functions which he discharges, the most potent factor in the government of the municipalities. Finally, the action of the municipal council may be set aside by its own head—the municipal captain—who is in set terms authorized by law to suspend the execution of the resolutions adopted by the council when he considers them beyond their jurisdiction, or prejudicial to municipal interests, or dangerous to the public order. In other words, the captain, though a member and the presiding officer of the tribunal, may ignore its decisions, being in truth a political representative of the general government and, as it were, an arbitrary governor of the town.

The narrow basis of suffrage is so striking that it calls for little comment. The whole system of municipal government rests on the votes of the principalia, or superior class of townsmen, who are composed of present and past officeholders and individuals paying an annual land tax of $50. Intelligent Filipinos have urged that other taxpayers, at least to the same amount, should be included in the electorate. And especial complaints have been heard of the exclusion

of persons possessing academic or professional diplomas or even of persons of intelligence and education. Undoubtedly the very limited number of voters and the predominance of the official classes are serious, if not fatal, defects in a system of popular government for towns.

As concerns municipal taxation the Maura law gives little discretion to the municipalities. Unfortunately, however, the provision for public works is optional. It seems to have been expected that the communities would avail themselves of the permission to levy a tax on real estate for the construction of roads and the making of other public improvements. This expectation has not been verified by subsequent experience. It would indeed be hard to find a country with worse roads, and generally so impassable as the Philippine Islands. Quite 20 per cent of them serve only for travelers on foot or on horse or on buffalo back in any season of the year; and more than half of all the Philippine highways are impassable for any sort of passenger conveyance during the wet season. It is true that with certain exceptions every adult Filipino was under obligation to give the state fifteen days' labor a year or commute the service by money. The latter plan was encouraged by the provincial and state governments. But undoubtedly the money thus collected was often diverted from its purpose and used by the general government at Manila. And even when the Filipino worked out his time on the roads there was no fund available to defray the cost of materials, tools, and buffaloes and carts for transportation; so that when bridges, for example, had rotted away it was impracticable to repair them. And the first duty before a new government will be the construction of highways which are passable all the year round. Nothing will so much conduce to the prosperity of the people and to the preservation of peace and order as these means of intercommunication.

Very inadequate provision is made in the Philippines for the support of schools. A system of free popular education maintained at the public expense is greatly desired by the wisest Filipinos and should receive early consideration at the hands of the new government.

PROVINCIAL GOVERNMENT.

Provinces and military districts.—Owing to the differences of social, economical, and political conditions, there is great diversity in the forms of government provided for the numerous administrative regions into which the archipelago was divided. The fundamental classification is into civil and military.

Luzon.—Civil provincial governments are found only in the island of Luzon. This island, which has a population of from 3,500,000 to 4,000,000 people, was divided into 30 administrative districts, of which

two-thirds were provinces with civil government, embracing over 3,000,000 people, while the military divisions contained altogether only a few hundred thousand of the inhabitants, principally the less-advanced tribes occupying the mountainous region to the north. The province of Manila enjoyed a civil government which ranked all others; and next to it came the first-class civil governments of the provinces of Albay, Batangas, Bulacan, Pampango, and Pangasinan; then the second-class civil governments of the provinces of Ambos Camarines, Ilocos Norte, Ilocos Sur, Laguna, Nueva Ecija, and Tayabas; and lastly, the third-class civil governments of the provinces of Cagayan, Bataan, Isabela, Union, Tarlac, Zambales, and Sorsogon. The remaining divisions of the island of Luzon are commanderies. The province of Cavite is in charge of a colonel; the government of Morong, of Abra, and of Nueva Vizcaya is each in the hands of a major, and Tiagan, of a first lieutenant; while a captain is in charge of Catanduanes, Lepanto, Bontoc, Benguet, Principe, Infanta, Binatagan, Amburayan, and Cayapa.

The Visayan Islands.—In the Visayan Islands, which have a population of 2,500,000 to 3,000,000, no civil government was established by the Spaniards, although the island of Negros and certain portions of Panay are quite as far advanced as some of the provinces which enjoy civil government in Luzon. The province of Iloilo (Panay) is in charge of a general of brigade, as is also Cebú; Occidental Negros is governed by a colonel; and Samar, Oriental Negros, Bohol, and Capiz and Antique (both in Panay) are each in charge of a major. The neighboring islands of Mindoro, Romblon, Masbate, Ticao, Calamianes, and the more westerly islands of Palawan and Balabac were also governed by military officers.

Mindanao and the Sulu Archipelago.—In the most southerly group, embracing Mindanao and the Sulu Archipelago, only military rule existed. There was a general of brigade at Sulu (Joló), with subordinate officers further west in Siassi, Bongao, and Tatoan. A general of division exercised general sway over the great island of Mindanao, almost as large as Luzon, but much less advanced, with a population of some 500,000 Mohammedans, heathens, and Christians. It was divided into six districts, Zamboanga, Misamis, Surigao, Davao, Cottabato, and Basilan, each of which was administered by an officer of the army.

Civil governors.—The powers of the military officers need not here be described. It should, however, be noted that it was intended in due time to appoint civil governors to every district in the archipelago, as each became fit for it. It is, therefore, especially important to consider in detail the qualifications, powers, and functions of the civil governors.

Qualifications of civil governors.—The civil governor in each of the provinces mentioned is the direct representative of the governor-gen-

eral of the islands, and, subject always to the governor-general, is the chief authority in his province in all administrative and economic matters; he depends directly upon the governor-general, with whom he communicates in regard to the matters concerning his administration, but at the same time he receives and executes orders of the chief of the treasury in matters relating to that branch of the government, also the orders of the director-general of civil administration in matters relating to local administration; he also communicates officially with heads of departments of the central administration in other matters when occasion requires.

Civil governors of provinces are named and removed by virtue of royal decree issuing from the minister of the colonies. They are in all cases Spaniards. To be named as a civil governor of a province it is required that the incumbent have some one or other of certain fixed and determined qualifications, as, for example, to have previously held for some period of time an administrative position of the first class (referring to the Spanish civil-service classification of administrative positions); or to have held for more than one year an administrative position of the second class, or for more than two years an administrative position of the third or fourth class; or to have served more than fifteen years in the public administrative service, provided the last position held was superior to that of "chief of negociado," so called, of the third class (again referring to Spanish civil-service classification); or to have been at some time a deputy to the Cortes, or an elective senator for one complete term of the Spanish legislature; or to have been at least twice elected member of the provincial council, and to have served as such; or to have been a magistrate of a superior court, or deputy attorney-general for more than two years, or to have held any judicial office superior thereto; or to have been for more than two years mayor of a provincial capital of the first or second class; or for two years to have been a member of the provincial council, or to have been a secretary of the government for more than two years in a province of the first class. There may likewise be nominated as civil governors of provinces officers of the army of twenty-five years' service or more, during ten of which, however, they must have served as superior officers, or for two years have been governors of politico-military governments in the archipelago.

Powers and functions of civil governors.—The powers and functions of the civil governor are in the main as follows:

1. As representative of the governor-general, his functions are to publish, execute, and cause to be executed the laws, decrees, and orders of the governor-general within his province; to maintain public order and protect persons and property; to suppress and punish acts within his province which are contrary to the religion of the state or to public

morals; to punish breaches of respect for public authority, not amounting to crime or misdemeanors; to grant licenses to carry arms; to hold at his disposition, and to dispose, as may be necessary, of the force of the civil guard and other civil constabulary of the province, or, when necessary, to call for the aid of military forces for the protection and maintenance of public order; to impose, by way of penalty, a suspension of ten days' salary of employees subject to his orders; to suspend the services and salary of such employees as may be unfit, by reason of lack of qualification or zeal, or morality, for the discharge of their duty; to publish within his province proclamations relative to good government and public health; to suspend, with the assent of the other provincial authorities, and for reasons of public safety, decrees or orders of the governor-general, immediately informing the governor-general, however, of such action, with the reasons therefor; to preside at the meetings of the provincial councils and at the elections of mayors of local towns of the provinces; to suspend according to law such mayors, or any other individuals composing the tribunals or town councils; to propose to the governor-general the dissolution of such town councils when deemed necessary; to submit to the action of the representatives of the judicial power delinquent municipal servants; to see that the ordinances with respect to forbidden games are enforced; to give or deny permission for the giving of public performances; to look after the fulfillment of the regulations of the corporations or establishments whose safeguarding is intrusted to him; to exercise the duties of captain of the port or delegate of the navy in places where no regular officer for that purpose exists.

2. As chiefs of administration within the province tne functions of the civil governor are to care for public instruction, and especially for that of the lower grades, and for the extension of knowledge of the Spanish tongue; to propose to the governor-general means conducing to the increase of public health and welfare; to propose to the governor-general concessions of royal lands according to law; to give licenses for cutting of timber according to existing regulations; to care for the collection of taxes of the provinces; to issue executions against defaulting or delinquent debtors to the public funds, and to discharge such functions in the levying and collection of municipal taxes as have already been described in the section on municipal government; to make up the provincial budgets and remit them to the governor-general for his approbation; to order the payment of sums authorized in the budget; to formulate provincial and municipal accounts, and to certify monthly to the balance of funds in hand; to care for public works and to determine those which are to be done by personal service.

3. As chief administrative officer within the province it is the duty of the governor to supervise all municipal councils as has heretofore been described.

In addition, the provincial governors possess such other powers as are given them by law in the matters of postal service, telegraphic service, prisons, jails, charities, public health, public works, forests, mines, agriculture, and general industry, and such other functions with respect to the matters mentioned as the governor-general may delegate to them.

In cases of extraordinary urgency in which public order or security is in danger, and where opportunity to consult the governor-general is impossible, the provisional governor could exercise for the time being powers belonging of right only to the governor-general. In such case, however, immediate account of such action was required to be given to the governor-general.

Compensation of governors.—Civil governors of the first class receive a salary of $4,500, of the second $4,000, and of the third $3,500. From the testimony of governors who came before the commission it appears that at least half as much more is realized from allowances of various kinds. Undoubtedly the money could be spent more advantageously by reducing the number of provinces and districts through consolidation and securing a higher order of administrators with the combined salaries. The physical features of the country, especially the mountain barriers, can not be ignored in any such rearrangement of districts; but it would seem that political and administrative subdivisions might be better adjusted to the principal lines of tribal cleavage. A redistricting of the island of Luzon on this basis would yield less than half the present number of provinces and districts. Without any increase in the total expenditure, salaries could in this way be provided which would attract able men to the chief administrative positions. Offices have in the past been multiplied for the sake of giving positions to Spaniards. They should now be adapted solely to the needs of the country, and put in charge of men whose only ambition will be to govern honestly and wisely; and the process of consolidation here suggested would yield salaries large enough to attract Americans of a high order of administrative ability. In the course of time Filipinos themselves might gradually be intrusted with these provincial governorships, or, perhaps better, the provincial governments should be transformed into county councils with native officers.

The provincial councils (juntas).—Under the Maura law a provincial council is established in the capital of each province of the Philippines. The body consists of nine members, five of whom, including the governor of the province, are ex-officio members, the other four being elected by the captains of the various municipal tribunals of the province.

The ex-officio members of the council, in order of their rank, are as follows: (1) The governor of the province, who is president ex officio;

(2) the attorney-general or el promotor fiscal; (3) the administrator of the provincial treasury; (4) and (5) the foreign vicars or ecclesiastical judges of the province. In case there happens to be only one foreign vicar in the province, a parochial priest, generally the one living in the capital of the province, is appointed to the vacancy.

The other four members of the council, as has been explained above, are elected by the captains of the tribunals according to the special regulations. The law states that these four members shall be residents of the capital, the lack of means of communication making such a provision necessary. Then, in addition to the nine members mentioned, a secretary is chosen by the council, but he is given no voice in the deliberations.

Duties of the council (*junta*).—The Maura law classifies the duties of the council under four heads—consultation, administration, inspection, and election. The latter function is not important and the other three may be reduced to two, viz, inspection and consultation.

The duties of inspection pertain to the administration of the treasury of the pueblos. The council has charge of the treasury in which the funds are deposited, keeps an account of the receipts and expenditures of the same, and reports to the governor of the province the results of its inspection and investigation, accompanying the report with documents and statements in regard to the finances of the several towns of the province.

The other function of the council is to act as an advisory board, both to the governor of the province and to the tribunals. In certain cases given below the governor is required to consult the council before making a decision. The council also makes recommendations and suggestions which it considers will be for the good of the pueblos or advantageous to the administration. The duty of election referred to above consists in the choosing of the three delegates from Luzon and three from the Visayas who become members of the council of administration, sitting in Manila.

The following occasions are laid down in the Maura law upon which it is necessary for the provincial council to give its advice, or in which the consent and approval of the council are necessary to make a decision valid: (1) In the approval of elections; (2) when the adoption of a new impost is being considered and the law does not authorize such a tax; (3) when remonstrance is made by owners of rural property or land against the tax levied on the same; (4) when the construction of a public work costing more than $400 is being considered; (5) when the bill authorizing any public work is being considered; (6) in the approval of accounts of receipts and expenditures made out by the tribunals; (7) when the matter is being considered of including in the permanent account of expenditures those of an extraordinary character which have been agreed upon by the municipal tribunal; (8) in

the approval of the accounts rendered annually by the captains of the tribunal; (9) when proceedings are begun to suspend any member of a municipal tribunal; (10) when nominations are made to fill vacancies in the tribunal caused by suspension or other conditions; (11) when any question that arises in regard to the jurisdictional limitations, or territorial additions or subtractions, or the formation of new municipal tribunals is being considered; (12) when two or more tribunals are considering the advisability of uniting in some association for common benefit of the inhabitants of those towns, and (13) in all cases where the governor of the province deems it wise to have the advice of the council.

Administration of the treasury (*caja*).—The disposition of the funds of the towns has been explained fully in treating of the tribunals. It was shown how all the funds are deposited in the provincial council's treasury, and that the council keeps a strict account of all expenditures and receipts, in order to check the work of the tribunals and thus prevent any misuse of the funds.

The keys of the treasury are kept by three men—the attorney-general, the administrator of the treasury, and one of the members elected by the captains of the towns, the last-named keeper being chosen by lot. These three keepers of the keys are individually responsible for the funds in the treasury, while all the other members of the council are held secondarily responsible.

Any member of the council may demand, at any time he considers opportune, that a balance be made showing the condition of the treasury. This request must be carried out at once without any excuse or pretext.

The four residents of the capital of the province who are elected by the captains as members of the council must serve six years unless they can offer one of the excuses or incompatibilities laid down in the law. These four members, however, are never eligible to reelection. No qualifications are laid down except that no person who owes the public treasury, who has been sentenced to prison, who has a contract or is receiving a salary from the treasury of the town or province, or who has a lawsuit pending can hold the office referred to. The secretary who is elected by the council should possess the ability demanded for the proper fulfillment of his duties.

The secretary of the council receives a salary paid out of the funds of the towns, the amount being apportioned pro rata. The ex-officio members of the council draw salaries in virtue of their regular offices, but nothing is said as to what salary the elected members shall receive.

The governor-general exercises jurisdiction over all the provincial councils. In case of any questions arising as to the elections or constitution of a council or as to the powers of that body, the governor-general will render a decision, the proceedings in such cases being in charge of the "Direcion general de administracion civil."

Observations on the provincial council.—The name of this body suggests functions which it does not possess. The provincial councils are not charged with the direct administration of the affairs of the provinces. Their sole function is to exercise inspection on the actions of the town councils and advise the governor in such matters. They are not a provincial government. Indeed, there is no provincial government except the governor, who represents the governor-general. At the other end stands the municipal council, which, subject to the inspection of the provincial council and the veto and corrective powers of the governor and the governor-general, does, nevertheless, within a narrow sphere, and tentatively and conditionally, administer municipal affairs. But if the town has thus a sort of popular government, the province has none; it lies under the complete control of the governor or rather the governor-general, whom he represents.

As to the membership of the provincial council it will be noted that, as in the formation of the principalia, men of education are excluded unless they happen to pay the $50 annual land tax. For the rest, the selection represents the principal interests of the community. The governor represents the state, the attorney-general (el promotor fiscal) the law, the foreign vicar and the priest religion, the administrator of the treasury finance, the doctor public health, and the four head men (principales) the general interests of the town. Though probably necessary, on account of the poor means of transportation, it is nevertheless unfortunate that the head men must be citizens of the capital of the province. It only remains to point out that their election by the municipal captains of all the towns of the province connects the lowest administrative units with the next highest member of the system. Unhappily, it can not be described as popular representation in the provincial government, since, as already explained, the provincial council is only an inspecting and advisory body, and, except in name, there is no provincial government unless that designation be given to the governor, or the governor-general, whom he represents.

Decentralization of the supreme power lodged in the governor-general at Manila, and the establishment of genuine provincial governments with delegated functions, is one of the crying needs of the Philippine Islands. That way, too, lies the road to self-government for the Filipinos. Fuller municipal life, real provincial governments, and a participation in the general government at Manila are the successive steps of the process. The features of this programme would not be changed if instead of "provinces" and "provincial governments" there were written "counties" and "county councils," a substitution which would not only conform more closely to American usage but also undoubtedly conduce to a clearer apprehension of the facts of the situation.

Provincial administration of the public treasury.—The provincial

administrations of the public treasury, in accordance with the royal decree organizing the financial administration of the archipelago, have charge of the direct management of the revenues, and their duties are to audit and liquidate the dues in favor of or against the treasury originating in their respective territories, from their respective sources; to collect the contributions and taxes; to order and effect payments, through the delegations, for the expenses of their dependencies and any others that the intendency of finances may order to be made; and to render an accounting of the public revenues, public expenditures, and treasury.

As the managers (gestores) of the revenues, these officials are dependencies of the central administration; as officers ordering payments, of the office of general orders; as the agents for the treasury, of the general treasury; and as accountants, of the general controlling office. (See section on the financial administration of the archipelago.)

The provincial administrations are divided or classed under various categories. That of Manila, on account of its importance, does not follow the general rule. It is composed of a director (administrador), chief of administration of the fourth class; a comptroller, chief of bureau of the first class; a treasurer, chief of bureau of the second class; one chief clerk (official primero), a second clerk, two third clerks, two fourth clerks, three fifth clerks, one of them a watchman, and three candidates.

The next in importance to Manila are the administrations of Cebu, Iloilo, Leyte, Albay, Bulacán, Pampanga, Pangasinán, and Batangas, which are composed of a director (administrador), chief of bureau of the third class; a comptroller, clerk of the third class; one fourth clerk, cashier, watchman, and collector, and one candidate.

Then follow those of Bohol, Cápiz, Laguna, Ilocos Norte, Nueva Ecija, Ilocos Sur, Cavite, Isla de Negros Oriental, Ambos Camarines, and Samar, each with a director, chief clerk; a comptroller, third clerk, and a cashier, fourth clerk.

The next in order are Cagayán, Isla de Negros Occidental, Tarlac, Unión, Tayabas, Antique, Zambales, and Zamboanga, each with a director, second clerk; a comptroller, fourth clerk, and a collector, fifth clerk.

Then follow Isabela de Luzón, Surigao, Morong, Mindoro, Bataan, Barili, Cottabato, Misamis, Sorsogón, Borongan, Maasim, and Barotac Viejo, each with a director, third clerk; a comptroller, fifth clerk, and a collector, fifth clerk.

Last of all come the delegate administrations of the provinces and districts of Romblon, Abra, Masbate and Ticao, Nueva Vizcaya, Calamianes, Batanes, Davao, Lepanto, Isabela de Basilan, Palawan, Balabac, Catanduanes, and Dapitan, where the duties of subdelegate are discharged by the governor or commandant having as comptroller a fifth clerk.

The others not mentioned here are dependencies, in economic matters, of the administrations and subdelegates of the boundary provinces.

Local administration of the public treasury.—The administrative agents in the towns are in some cases the municipal captains, in others the petty governors (gobernadorcillos), the headmen (cabezas de barangay), the commissaries (comisionados de apremio), the examiners (investigadores), and the sellers of stamped articles. These officers, who form the last wheel of the administrative machine, are in charge of the collection of taxes and contributions and the levying of contributions and state dues within their jurisdiction.

THE GENERAL GOVERNMENT.

During the three hundred years of Spanish sovereignty the form of the general government of the archipelago endured many and frequent changes. From the beginning to the end, however, it always preserved the character of a highly centralized colonial administration closely bound to and controlled by the sovereign Government of Madrid. The details of the Spanish system, hereinafter set forth, are, as in the case of the municipal and provincial governments heretofore described, of the system as it existed during the decade immediately preceding the cession of sovereignty to the United States.

The colonial department in Madrid.—The supreme head of government in the Philippine Islands was, of course, the Crown, which, together with the Cortes, made the supreme laws for the government of the islands. In the administration of the islands from the Central Government of Madrid the royal power was immediately exercised by the ministry of ultramar, or, in other words, department for the colonies. To this ministry was confided the superior administrative supervision of the Philippine Archipelago, as well as other colonial possessions, and in its administration it was assisted in such cases as became necessary or expedient by the full cabinet of ministers of the Crown, of which cabinet the minister of ultramar was a member.

In his work of administration the minister of ultramar was further assisted by a staff or body of advisers known as the "consejo de Filipinas," council of the Philippines, which the minister of ultramar consulted upon any and all matters in which he found it expedient to obtain their advice. This body was a permanent council, sitting in Madrid, and was chosen because of the knowledge of its members of colonial or Philippine affairs. It was composed of members ex-officio, to wit, the subsecretary and the directors of the ministry of ultramar, and of twelve selected members.

For eligibility to the latter class the following qualifications, or one of them, was necessary: Four years of residence in the provinces, at least two of which must have been spent in the colonies in a position of a grade not inferior to that of chief of administration of the first class; a briga-

dier of the army or of the navy; president or district attorney-general of the supreme court; a professor in one of the universities of the Peninsula or of the Philippines; the director of the hydrographic bureau; a consul-general of Spain to one of the governments near the Philippine Islands, who, in addition, has been in the service of the state at least fifteen years; one who has devoted himself to scientific explorations in some region of Africa and produced work which has been approved by the Geographic Society of Spain and printed by the society at its expense, or one who belongs, or has belonged, to the board of directors of such society; one who belongs to the Academy of History; one who has been chief leading counsel to the monastic orders of the Philippines, or a dignitary of the church.

Of the members so elected, one is selected as the specified representative of the branch of war; two for that of the marine; one a representative of the regular clerical body of the Philippines; one a solicitor for the monastic orders of the Philippines, having his residence at the court; two representing the branch of the treasury; two representing the home office; one the department of grace and justice; and two for the department of administration and public works.

This council is consulted at the pleasure of the minister of ultramar upon all matters of a general nature relating to the islands which are to be the subject of decrees or orders of the Government; and with regard to the regulations to be made for the application of orders or decrees of the Government, and on all other points in which the Government may deem it expedient. Furthermore, the Government can, whenever necessary, direct this council to prepare such bills or decrees as it may deem expedient. Likewise, this council, upon its own initiative, can present to the minister of ultramar schemes for reforms or changes in the administration and government of the islands.

The governor-general.—Turning from the central Government located at Madrid to the archipelagic government in the Philippine Islands themselves, there is found the following establishment: A governor-general for the whole of the islands constituting the Philippine archipelago, there being included with this archipelago, for the purpose of government, the Carolines and Mariana Islands. The governor-general is appointed and removed by the Crown with the assent of the council of ministers, and upon the recommendation of the minister of ultramar. He holds office for no stated term, but at the pleasure of the Crown. He is the personal representative, or viceroy, of the Crown in the Philippines, and as such is the chief administrative and executive officer. He is, nevertheless, under the immediate control of the minister of ultramar, with whom exists his closest relation to the home Government. In addition, however, he is considered the delegate of each of the home ministries of state, of war, and of marine, in matters specially

pertaining to those departments. Within the archipelago he holds the chief command of the army and navy forces of the islands, subject to the general rules and regulations of the army and navy of the Spanish Government. His authority extends to all matters pertaining to the maintenance of the integrity of the territory, to the conservation of public order, the observance and execution of the laws, and the protection of persons and property.

Functions of the governor-general.—In detail the functions of the governor-general are as follows:

1. As the direct delegate of the central power, (1) to publish, execute, and enforce in the provinces under his administration, the laws, decrees, orders, and commands of general character issuing from any of the ministries to which he is subject, and also to secure the fulfillment of all international obligations pertaining to the provinces; (2) to watch over and inspect all the branches of the public service of the State in the islands, and to give an account to the ministries which he represents of any or all matters affecting them; (3) to exercise, in certain specified cases, the prerogative of pardon; (4) to suspend tbe resolutions, or enforcement of orders of the General Government whenever grave public interests in the islands so demand, giving immediate notice thereof, with reasons therefor, with all possible dispatch; and also to suspend the execution of any act or resolution of inferior authorities whenever circumstances may compel.

2. As chief of administration in the archipelago his functions are (1) to maintain the integrity of the administrative régime in accordance with law; (2) to publish orders and commands for the fulfillment of the laws and regulations, and for the administration and government of the islands, giving an account of his action to the minister of ultramar; (3) to propose to the home government whatever in his opinion might promote moral and material interests; (4) to suspend associations or corporations which are found *in delicto;* (5) to authorize the imposition of fines by the governors of provinces upon public officers or corporations; (6) to suspend, for cause, the public servants of the administration appointed by the home government, giving immediate notice thereof, and filling the vacancies meanwhile in a manner corresponding to the law.

3. In his position of head of the military and naval forces within the archipelago, the governor-general has the power of the directing-inspector of all military bodies, arms, and equipment. He has the same power and functions as are accorded to the captain-generals of the various districts of the peninsula, with the additional power of the disposition of troops, and the assignment of superior officers to commands, together with the multitudinous and multifarious powers and functions belonging to the general in command of an army corps and too numerous to be here detailed.

The salary of the governor-general was $40,000, with allowances.

In case of death, absence on leave, or temporary incapacity, the powers of the governor-general are exercised by the officer second in command until action of the home government can be had.

Advisory councils to the governor-general.—As advisory bodies to the governor-general in the administration of the archipelago, there exist a body known as the board of authorities and a further advisory body called the "council of administration."

The former body is composed of the governor-general, as president; the archbishop of Manila; the lieutenant-general, second in command; the commander of the navy; the chief officer (intendente) of the treasury; the director-general of the civil administration; the president of the audiencia, namely, the chief justice of the supreme court, and the attorney-general of the archipelago.

The function of this body is purely consultative, advising the governor-general in such cases as he thinks it expedient to consult them upon, and especially in cases where it is needful for him to consult and have the cooperation of heads of departments. The advice or decision of this body is, however, in no way binding upon the governor-general, nor does his acceptance of its advice relieve him in any way of personal responsibility.

The council of administration is likewise a consultative body, but of rather large representation. It is composed of some twelve members ex-officio by virtue of holding other public positions. They are the governor-general himself as president; the right reverend archbishop of Manila; the commander of the navy; the lieutenant-general, second in command of the army; the chief justice of the supreme court; the chief of the treasury department; the director-general of the administration; the reverend fathers superior of the religious orders; the president of the chamber of commerce of Manila; the president of the society of friends of the country (amigos del pais). In addition there are six delegated members. Three come from the provinces of Luzon and three from the Visayan provinces. The delegated members are designated and sent by their respective local provincial boards, or juntas, in the manner described in the section on provincial government. In addition there are four members of royal naming.

The powers and duties of this council of administration are to consider the general budgets of receipts and expenses in all the branches of the service; likewise the budget of receipts and expenditures of local funds; to consider the matter of reform or change in the regulations or instructions which the governor-general may have to propose to the home government; to consider matters of royal patronage, and to consider all other matters which the governor-general may see fit to submit for the examination or opinion of that body.

It will be seen that the former of these bodies, the council of the

Philippines, served, as it were, as a cabinet to the governor-general; while the latter, the council of administration, served as a mere representative advisory board.

General directorate of the civil administration.—The duties of this division of the administration are the supreme management of all matters appertaining to the several branches of the interior, such as public education, beneficence and sanitation, public works, mines, agriculture, industry and commerce, communications, and meteorology.

The duties of the director-general are to exercise administrative functions in said branches and to reccommend the divisions which by the laws devolve upon the governor-general.

For advising the superior authority there exist, besides the council of administration, the superior commission of primary instruction; the superior board of health; the board of agriculture, industry, and commerce, and the central board of vaccination.

The general director deals directly with matters relative to public education, and manages local funds, according to the provisions of the respective budgets.

The scientific service is in the hands of the inspectors of public works, mines, forests, beneficence, and sanitation, and of the agronomic commission and the board of communications, which transact with the director-general their respective businesses.

Under the immediate orders of the director-general is placed the board of directors of the local administration and of the royal auctions and advisers.

The general directorate of the civil administration is composed of two sections, viz, government and improvements; and besides, it has the charge of orders for payments and the auditing of the local funds. The officers of the directorate are a director-general, superior chief of administration; an assistant director, chief of administration of the third class, whose duties also extend to the orders for payment; an accountant, chief of administration of the third class; two chiefs of administration of the fourth class, in charge of the sections of government and improvements; one chief of bureau of the second class, acting as comptroller of the orders for payment; two chiefs of bureau of the third class; three chief clerks of administration; five second clerks; five fourth clerks, and five fifth clerks. The board of directors (junta de jefes) is composed of the director-general, who presides; assistant director, vice-president; the inspectors of mines, forests, public works, beneficence (charities), and sanitation; the directors of communications, the chief of the agronomic commission, the accountant (contador) of the local funds, and the chiefs of bureaus of government and improvements, acting as alternates, and the comptroller of orders for payments, as secretary.

Financial administration of the archipelago.—The following outline

will indicate the bureaus and officials through and by whom the business is conducted:

Intendency-general of finances.—Under this name is known the central office, which has dealt with the financial interests of the island since 1865, when the superintendency-general in charge of the finances was abolished and a new organization was given the archipelago, thus separating and delimiting the functions of the executive and the financial branches of government.

The intendent-general of finances (intendente-general de hacienda) is in charge of the administrative duties of his office, while the governor-general has, besides the superintending of the public treasury, the important duties of rendering final decisions in the executive or in the financial branch of the service at the request of the intendent.

Under the immediate orders of the intendent the following offices are placed, viz, the office of general inspection, the consulting office, the departments of direct and indirect taxation, the executive board, and other dependencies of the service.

General orders for payments.—The duties of this office are to audit and liquidate the dues in favor of the creditors to the state for service as specified in the general estimates for expenditures; to order that payments be made of such audited claims, and to see to the distribution of funds for the respective payments of the central and provincial obligations.

General controlling office of the state.—The duties of this office are to inspect or superintend the several branches of the public treasury, the general accounts of the state, and preparation of the general accounts of the revenues and expenditures. Business is transacted in the provinces through the comptrollers of the administration and the subdelegates of finances.

Central treasury.—The principal duties of this office are to receive all the funds coming into the public exchequer, centralizing those coming from the administrations of the provinces to effect such payments for claims as are authorized by the general estimates of the state, and also to execute the operations of advancing and transferring funds, by drafts and remittances, as the service should demand.

Deposits.—The office of deposits is annexed to the general treasury. The voluntary deposits in metal draw an interest of 5 per cent per annum, allowed by the state, when such deposits are made for one year; 4 per cent for six months and 3 per cent for three months. The necessary deposits draw an interest of 3 per cent per annum, or no interest whatever is assigned to them, according to their different nature and circumstances. The provisional deposits from auctions pay a "safe-keeping due" (derecho de custodia) at the rate of one-fifth of 1 peso for every 100 pesos or fraction thereof.

Administration of the Manila custom-house.—The duties of this office

are to transact all the business connected with the customs revenues of the capital, either from a private or a commercial origin, and to audit, liquidate, and collect the dues accruing through the treasury by reason of the importation or exportation of such products as are subject to tariff dues.

The tariff board.—Created in 1828, this board is composed of the intendent-general of finances, president; the assistant intendent (sub-intendent), vice-president; the comptroller-general of the state, the collector of customs (administrador de la aduana), the vice-president of the association "sociedad economica de amigos del pais," one of the alternate graduate members of the board of health, and the vice-president of the "junta de agricultura, industria y comercio" (board of agriculture, industry, and commerce), as members ex-officio, and twelve merchants and tradesmen appointed by royal order at the request of the intendency-general of finances; one secretary, chosen by the same intendency from among the chiefs of bureaus (jefes de negociado), and officers of the custom-house, besides the chief of the bureau of customs in the intendency, who acts as vice-secretary.

The duties of the board are: First, to report on all cases in reference to the general or partial form of the tariffs and tariff regulations; second, to report, whenever the intendency-general of finances may deem it expedient, on the interpretation or application of the tariff regulations and schedules; third, to propose an annual report on the tariff, stating and discussing the progress of the merchant marine; fourth, to prepare a collection of samples to be kept in the custom-house for the use of the board.

The collection of samples is to be made up of the portions now existing in the custom-houses, and of all the effects mentioned in the documents submitted for consultation to the intendency-general of finances. In case such samples have any value, steps are to be taken to have their owners make a voluntary donation of them, the board to make further acquisitions in the islands and outside of the islands to increase the collection.

As an auxiliary to the board, there is a commission of appraisers appointed every year by the intendency-general of finances. Its duties are to prepare a tabulated statement showing the average price of the merchandise, both import and export goods, which are divided into seven sections or departments, as follows: First, provisions and cattle of all kinds; second, hides, skins, furs, harnesses, and similar products; third, haberdashery, notions, small wares, jewelry, toys, and fine metals; fourth, hardware, machinery, arms, woods, stones, and clays; fifth, textile materials and fabrics of all kinds; sixth, drugs and similar products; seventh, exportation of home products. This commission is made up of the collector of customs, chairman; three nominated members of the board of tariffs, and two merchants or tradesmen for each

of the seven sections above mentioned. The secretary of the board of tariffs also holds the same office in the commission of appraisers.

The annual budget of the Philippines—Expenditures.—It seems desirable to take the figures from the normal times preceding the outbreak of the rebellion against Spain, and for this reason the budget for the year 1894–95 is selected. The estimated expenses of the year were as follows:

1. General obligations	$1,360,506.53
2. State	65,150.00
3. Church and courts	1,687,108.88
4. War	4,045,061.84
5. Treasury	823,261.95
6. Navy	2,450,176.77
7. Government (gobernación)	2,220,120.98
8. Public works and institutions (fomento)	628,752.46
Total	13,280,139.41

This is the amount which the revenues were required to meet, but before exhibiting the corresponding estimate of revenues it will be instructive to analyze some of the items embraced in the eight categories of expenditures just given.

Items of expenditures.—Under the first head—general obligations—it appears that of the $1,360,506.53 specified the sum of $118,103 was spent on the colonial department and connected branches in Madrid; $70,822.73 on the colony of Fernando Po, on the coast of Africa; $718,000 on pensions and retiring allowances, and $367,000 on interest on deposits. Of the $65,150 devoted to the State nearly the whole amount was used toward defraying the cost of Spain's diplomatic and consular service in the Orient, namely, in China, Japan, and the neighboring French and British colonies. Under the third head $1,687,108.88 is charged to church and courts; of this amount $460,315.24 was spent on the courts, and the balance on the church, the two largest items being $625,860 for the parochial clergy (whose salaries were $500, or $600, or $800, or in a few cases $1,200, while the four bishops had each $6,000, and the archbishop $12,000) and $419,680 for materials for the ecclesiastical establishments ($360, or $500, or $600, or in a few cases $800 being allowed to each parish). War, it will be seen, ate up nearly one-third of the revenues, and of the enormous sum ($4,045,061.84) provided for that department the salaries of the officials of the administrative bureau consumed $771,043.25, while $1,334,484.32 was spent on materials for the army and $1,997,649.27 on that body itself. (The army numbered 13,291 individuals, of whom only 2,210, mostly of the artillery, were Europeans, the rest being natives.)

Under the fifth head is the treasury, with $823,261.95, of which $232,796 was for the maintenance of the central offices of the intendency-general, the central treasury, and the comptrollership, and $216,244

for the provincial administrations of the public treasury. The navy comes sixth in the list, with $2,450,176.77, of which $1,147,540.42 was for materials, and $1,349,504 for services. The seventh head is government, with an expenditure of $2,220,120.98, of which $272,606 was for the salaries of the governor-general and the provincial governors and commanders, $843,735.91 for the civil guard (composed of 3,482 individuals), $969,921.92 for the maintenance of postal and other communications, and $88,555 for the general directorate of the civil administration. The last head is public works and institutions, costing $628,752.46, of which $141,175.50 was for special institutions of instruction, chiefly in Manila; $109,690 for public works (mostly in salaries), $142,365 for the general inspection of mountains, $15,575 for mines, $103,570 for the agricultural school and stations, and $37,462 on maritime navigation and light-houses.

Annual revenue.—The receipts of the general government in the Philippines were in 1894–95 as follows:

1. Direct taxes	$6,659,450
2. Indirect taxes (customs)	4,565,000
3. Receipts from monopolies	1,112,850
4. Lotteries	873,000
5. From state property	195,500
6. Estimated petty receipts	174,100
Total	13,579,900

Items of revenue.—Of the proceeds of direct taxation, which made up one-half ($6,659,450) of the total revenue of the general government, the sum of $4,586,250 was collected from cédulas, or identification certificates, of which every Filipino was required to secure one annually, the cost ranging from $1 for the tenth class to $5 for the fifth class, $15 for the third, and $25 for the first class. Next to the cédulas the most productive direct tax was that on commerce and industry, which netted $1,323,000. Then followed the poll tax on the Chinese with $482,800, after which came the tax on urban property with $110,400. The balance was made up by $12,000 in tribute from unconquered tribes, $35,000 from a 10 per cent tax on railway tickets, $70,000 from a 10 per cent assessment on certain salaries, and $40,000 from a 25 per cent assessment on the premiums for the collection of urban and industrial taxes, cédulas, and the Chinese poll tax.

The indirect taxes or customs receipts, which aggregated $4,565,000, were composed of $3,800,000 from duties on imports, $430,000 from duties on exports, $300,000 from clearance dues, and the remainder ($35,000) from fines, etc.

Under the third head, of receipts from monopolies, stand $602,300 received for the opium contract and $510,550 from stamps and stamped paper, making together $1,112,850.

The government lotteries produced $873,000, all but $4,000 from the sale of tickets.

The receipts from State property ($195,000) include rents or products as well as sales. The largest single item was $122,000 from forest products; the next, $45,000 from the sale of lands, and $25,000 from the sale of buildings.

The sixth and last source of revenue is uncertain. Of the $174,000 estimated from this source, $100,000 was expected from the coinage of money, $13,000 from what is described as indeterminate resources. $9,000 from the sale of military and naval properties, and $30,000 sur plus from the secret or special-service (servicios cerrados) fund (out of which, indeed, every one of the eight divisions of expenditure described above had a liberal allowance).

Observations on the general government.—The scheme of government instituted by Spain for the Philippines was in itself far from perfect, and in its practical operations it was open to the gravest objections. It failed to accomplish even the primary ends of good government—the maintenance of peace and order and the even administration of justice; nor can there be any doubt that it proved an engine of oppression and exploitation of the Filipinos. It took their substance in the form of taxes and contributions and gave no equivalent in return. The preceding sections have shown the use made of the public moneys, which was in general an unproductive one. The people paid heavy taxes and were subject to annoying and vexatious restrictions on their rights; yet the country was not developed, roads were not made, popular education was not established. It almost seemed as though the great trust of government had been perverted into a mere instrument for the benefit of the governing class at the expense of their subjects. The revenues were swallowed up by salaries, most of which seemed unnecessary. The very category of public works is only another designation for salaries. There were in reality no public works. The revenues of the archipelago were exhausted by unproductive expenditures on naval and military establishments, on salaries and pensions, on the church, and on the colonial office in Madrid. And the people governed had no redress, as they had no control or voice in the matter.

The most prominent defects in this scheme of government were: (1) The boundless and autocratic powers of the governor-general; (2) the centralization of all governmental functions in Manila; (3) the absence of representative institutions in which the Filipinos might make their needs and desires known; (4) a pernicious system of taxation; (5) a plethora of officials who lived on the country and by their very numbers obstructed, like a circumlocution office, the public business they professed to transact; (6) division of minor responsibilities through the establishment of rival boards and offices; (7) the costli-

ness of the system and the corruption it bred; and (8) confusion between the functions of the state and the functions of the church and of the religious orders.

If these abuses are remedied, if a capable and honest government is instituted, if the Filipinos are permitted to the full extent of their ability to participate in it, if all unnecessary offices are abolished, if church is separated from state, if the public revenues are used solely to defray the legitimate expenses of the government, and the cost of duly authorized public works and improvements, including the beginnings of a system of elementary schools—if, in a word, government is administered in the Philippines in the spirit in which it is administered in the United States, the people of that archipelago will, as already a few of them foresee, enjoy more benefits than they dreamed of when they took up arms against the corrupt and oppressive domination of Spain.

Chapter II.

GOVERNMENTAL REFORMS DESIRED BY FILIPINOS.

In the preceding chapter an account has been given of the actual government of the Philippines as it existed at the time of the overthrow of Spanish power by the United States. It is little wonder that the system was unsatisfactory to the Filipinos and that they finally rose in arms against it. The reforms they desired, the kind of government they wanted, will be the next subject of consideration. Data are furnished by oral and written evidence submitted to the commission by the writings and speeches of eminent Filipinos and by articles, constitutions, proclamations, and other documents emanating from the insurgent Tagalogs and from pacific organizations of other Filipinos.

The subject is one of the most vital significance, for the United States can succeed in governing the Philippines only by understanding the character and circumstances of the people and realizing sympathetically their aspirations and ideals. A government to stand must be firmly rooted in the needs, interests, judgment, and devotion of the people, and this support is secured by the adaptation of government to the character and possibilities of the governed—what they are, what they have it in them to become, what they want, and, not least, what they think they are entitled to have and enjoy.

The Filipinos and independence.—While the peoples of the Philippine Islands ardently desire a full measure of rights and liberties, they do not, in the opinion of the Commission, generally desire independence. Hundreds of witnesses testified on this subject to the Commission and its individual members, and, though they represented all possible

varieties of opinion—many of them being in sympathy with the insurgents—they were uniform in their testimony that in view of the ignorance and political inexperience of the masses of the people, the multiplicity of languages, the divergencies of culture and mode of life, and the obstacles to intercommunication, an independent sovereign Philippine state was at the present time neither possible nor desirable, even if its poverty and internal weakness and lack of coherence would not invite, and the dissatisfaction of aliens entail, the intervention of foreign powers with the inevitable result of the division of the archipelago among them and the disappearance forever of the dream and hope of a united and self-governing Philippine commonwealth. The Philippine Islands, even the most patriotic declare, can not at the present time stand alone. They need the tutelage and protection of the United States. But they need it in order that in due time they may, in their opinion, become self-governing and independent. For it would be a misrepresentation of facts not to report that ultimate independence—independence after an undefined period of American training—is the aspiration and goal of the intelligent Filipinos who to-day so strenuously oppose the suggestion of independence at the present time.

If the foregoing statements regarding the attitude of the Filipinos toward independence seem to be in contradiction with the fact that some Filipinos are now engaged in resisting the sovereignty of the United States, it should be recalled that the Tagalog insurrection is an inheritance from Spain, and that if the idea of independence is now one of its animating forces it had originally no place in the movement, and that it is to-day a much weaker force than the selfish ambitions of leaders who deceive the misguided people or than that distrust and hatred of the white race which has been engendered in them by three centuries of experience with the only branch of it they have ever known. The Tagalog leaders also appreciate the value in foreign markets of the idea of independence as a justification of rebellion; but it is not that idea which secured them soldiers, or munitions of war, or tributes from other provinces, but the strong hand of force coupled with persistent misrepresentations of the purposes and objects of the American Government, for the dissemination of which both circumstances and the native suspicion of the white man were peculiarly favorable. Nor can it with any propriety be said that an insurrection confined to Tagalogs—who, if all are included, number 1,600,000 souls—has for its object the independence of the peoples of the Philippine Islands, who number about 8,000,000. And even among the Tagalogs the idea of independence is a more or less superfluous appendage to the insurrectionary movement. For the rebellion (in which the United States has merely succeeded to Spain's place) arose out of definite grievances and sought redress for definite wrongs. In a proc-

lamation in the Tagalog dialect, bearing the pseudonymous signature "Malabar," which was extensively circulated in July, 1897, the ends sought by the insurgents, who had been in rebellion since 1896, were succinctly and clearly stated in the following terms:

1. Expulsion of the friars and restitution to the townships of lands which the friars have appropriated, dividing the incumbencies held by them, as well as the episcopal sees, equally between peninsular and insular secular priests.

2. Spain must concede to us, as she has to Cuba parliamentary representation, freedom of the press, toleration of all religious sects, laws common with hers and administrative and economic autonomy.

3. Equality in treatment and pay between peninsular and insular civil servants.

4. Restitution of all lands appropriated by the friars to the townships, or to the original owners, or in default of finding such owners, the state is to put them up to public auction in small lots of a value within the reach of all and payable within four years, the same as the present state lands.

5. Abolition of the Government authorities' power to banish citizens, as well as unjust measures against Filipinos; legal equality for all persons, whether peninsular or insular, under the civil as well as the penal code.

The war must be prolonged to give the greatest signs of vitality possible, so that Spain may be compelled to grant our demands, otherwise she will consider us an effete race, and curtail, rather than extend our rights.

This certainly is no scheme of independence. It is a statement of grievances, a demand of reforms, and, by implication, a bill of rights. In detail the items of the programme are: (1) The expulsion of the friars and the restitution of the lands held by them to the townships or to the original owners; (2) the recognition of Filipino priests in filling the incumbencies vacated by the friars; (3) absolute religious toleration; (4) the equality of all persons—Filipinos as well as Spaniards—before the law; the assimilation of the laws of the archipelago to those of Spain, and the equality of Filipinos with Spaniards in the civil service; (5) the freedom of the press; (6) the establishment of representative institutions; (7) home rule; (8) abolition of deportation and other unjust measures against Filipinos; and (9) the continuance of the war as a means to coerce Spain into granting these rights. It was not the intention or desire to shake off Spanish sovereignty, but merely to abolish its abuses and to vindicate and secure under its ægis the civil, political, and religious rights and liberties of the Filipinos.

The Filipinos' bill of rights.—The more one studies the recent history of the Philippines and the more one strives by conversation and intercourse with the Filipinos to understand and appreciate their political aims and ideals, the more profound becomes one's conviction that what the people want above every other thing, is a guaranty of those fundamental human rights which Americans hold to be the natural and inalienable birthright of the individual but which under Spanish domination in the Philippines were shamefully invaded and ruthlessly trampled upon. Every scheme of government devised by the Filipinos is, in its primary intent, a means to secure that end. Whatever

other features the scheme may possess may be regarded as more or less accidental. Philippine plans of reform all start from a concrete basis; they seek deliverance, sure and abiding, from wrongs and cruelties to which the people have hitherto been exposed. The magna charta they want, like that which the English barons wrested from King John, is the counterpart of very definite evils and abuses. And perhaps the most encouraging feature in the difficult problem we have undertaken in the Philippines is the perfect coincidence between the theory and practice of our government on the one hand, and the aspirations and ideals of the Filipinos on the other. The very thing they yearn for is what of all others our Government will naturally desire to give them—religious liberty, fundamental personal rights, and the largest practicable measure of home rule. Unhappily, the people have been so misled by self-seeking and ambitious leaders that they now mistrust us; but if civil government could be immediately established it would be an ocular demonstration, which would carry conviction to the most incredulous and hostile critic, of the natural harmony subsisting between the purposes and policy of the United States and the reforms and guaranties desired by the Filipinos.

What, then, it will now be asked, are those fundamental rights, the guarantee of which is the moving inspiration and primary object of every scheme of government which the mind of Filipinos has conceived or only vaguely dreamed of? They have been laid before the Commission by many different witnesses, and naturally with different modes of presentation and order of treatment; but in substance there is no divergency of opinion. Doubtless the various products of Filipino constitution-making have been in a great part copied from other constitutions, which they have taken as examples, and their provisions, to a considerable extent, express the theoretical views of the educated Filipinos who have been students of government, as well as the vague aspirations of the people themselves. And perhaps the fundamental rights here under consideration may be gathered as clearly from the constitution of the so-called Philippine republic (see Exhibit IV) as from any other source, though they may be read also in the constitution drawn up under American guidance by the people of the island of Negros (see Exhibit V), and also in the model constitution prepared at the request of the Commission by certain radical Filipinos who had orally presented their views (see Exhibit VI). With this bare mention of the latter source of information, which will be found in full in the appendix to this report, the so-called constitution of Aguinaldo's republic will be used as a basis for the exposition which follows.

Scarcely does that constitution in a dozen lines establish a republic with three coordinate branches of government than it hurries into the field of the rights of the Filipinos, which covers more than one-fourth

of the entire document. First, religious freedom is secured by the separation of church and state and the recognition of the equality of all religious worships. (In the final article of the constitution the entire property of the religious corporations—the friars—is confiscated, or to use the language of the constitution, "restored to the Philippine government.") Afterwards detailed provision is made to protect Filipinos against arbitrary arrest, detention, prosecution, or imprisonment. Next to religious liberty and personal freedom comes the inviolability of the home, papers, and effects, as well as correspondence by post, telegraph, or telephone; and the curious and subtle provisions illustrating and sometimes qualifying this right reflect a background of varied and painful experience of its defiance. The right to property is asserted with a significant punishment upon officials who, under any pretext, infringe it, and an equally significant exemption from the payment of contributions not legally imposed. Then follow the rights of free speech and publication, the right of association, and the right of petition. Popular education, so the constitution runs—rather pathetically, in view of the facts—shall be obligatory and gratuitous in the schools of the nation; but any Filipino has the right to found and maintain educational institutions. And as though other rights might have been overlooked, it is provided in article 28 that the enumeration of the rights specified does not imply the prohibition of any other not specifically delegated. In order that officials infringing the rights of citizens may not be shielded from punishment, it is provided—undoubtedly in the light of experience under the Spanish régime—that no authorization shall be needed for their prosecution, and no mandate of a superior exempt them from responsibility.

The closing articles shed a blaze of light upon the connection between the constitution making of the Filipinos and their past experience, and show once more that the goal of their political endeavors is to escape from an unjust, arbitrary, and oppressive domination which outraged every right and knew no law but the caprice of power. "In no case," says the constitution, "can the military or civil chiefs establish any other penalty than that previously prescribed by the law. In the Philippine Republic no one can be tried by private laws nor special tribunals. No person can have privileges nor enjoy emoluments which may not be compensation for public service and which are fixed by law." These words reflect the aspirations of the Filipinos. They want the opposite of "arbitrary penalties," "private laws," "special tribunals," and "unearned emoluments." There are natural and inalienable rights to which they are entitled in virtue of their humanity as such. It is the denial of these which constitutes the tyranny, the very real tyranny, of which they have complained. Abstract speculators may commiserate the Philippines for being under the sovereignty of

another power—for not being absolutely independent and self-governing—but if this is an evil the Filipinos have not resented it, probably because it was overshadowed and swallowed up in the ever-present sufferings from their actual, as opposed to merely speculative, tyranny. In their consciousness it is not political privileges and franchises, but personal and civil rights and liberties, which occupy the foreground. Of course this is far from saying that the Filipinos are not keenly alive to the importance of home rule, or do not desire large participation in the government of the archipelago.

The Filipinos' demand for municipal and provincial home rule.—In connection with the subject of local autonomy in the Philippines, the following table, showing the names of the several provinces and military districts of the archipelago, with their capitals, as well as the island in which each is situated, together with their areas and populations, will be found convenient for reference:

[C. = civil; P. M. = politico-military.]

Provinces and districts.	Islands where situated.	Provincial capitals.	Designations.	Areas, in square miles.	Population.
Abra	Luzon	Banquet	Province (P. M.)	3,280	49,700
Alcay	Luzon	Alcay	Province (C.)	1,140	148,425
Ambos Camarines	Luzon	Nueva Caceres	do	3,092	165,504
Amburayan	Luzon	Alilem	Comandancia (P. M.)	.....	30,150
Apayaos	Luzon	Abulog	do	.....	16,000
Antique	Panay	.....	.....	839	114,483
Balabac	Balabac	Balabac	Province (P. M.)	163	1,100
Baras	Mindanao	Baras	Comandancia (P. M.)	.....	.....
Basilan	Basilan	Isabela de Basilan.	District (P. M.)	263	12,000
Bataan	Luzon	Balanga	Province (C.)	875	52,000
Batanes	Batanes, Sapt-any, Ibcayat, Calayan.	Sto. Domingo de Basco.	Province (P. M.)	125	9,475
Batangas	Luzon	Batangas	Province (C.)	1,153	312,192
Benguet	Luzon	La Trinidad	Comandancia (P.M.)	328	15,932
Binatangan	Luzon	Binatangan	do	(?)	5,000
Bohol	Bohol	Tagbiláran	Province (P. M.)	1,617	248,000
Bongao	Bongao	Bongao	Comandancia (P. M.)	217	(?)
Bontoc	Luzon	Bontoc	do	1,737	14,745
Bulacan	Luzon	Bulacan	Province (C.)	965	230,000
Burias	Burias	San Pascual	Comandancia (P. M.)	112	1,753
Butuan	Mindanao	Butuan	do	1,476	16,246
Cabugoan	Luzon	Piddig	do	(?)	(?)
Cogayan	Luzon	Tuguegarao	Province (C.)	6,587	96,357
Calamianes	Calamianes Is. Cuyos Is Linapacan Dumuran Agutaya North Palawan.	Cuyo	Province (P. M.)	340	16,380
Capiz	Panay	Capiz	do	1,543	128,006
Catanduanes	Catanduanes	Virac	do	647	35,633
Cavite	Luzon	Cavite	do	488	132,567
Cayapa	Luzon	Cayapa	Comandancia (P. M.)	255	1,854
Cebu	Cebu Camates Mactan Bantayan	Cebu	Province (P. M.)	2,092	504,076
Concepcion	Panay	Concepcion	District (P. M.)	59	19,602
Corregidor	Corregidor	Corregidor	Province (P. M.)	16	575
Cottabatto	Mindanao	Cottabatto	District (P. M.)	(?)	3,048
Dapitan	Mindanao	Dapitan	Comandancia (P. M.)	407	12,615
Davao	Mindanao	Davao	District (P. M.)	(?)	14,000
Ilocos Norte	Luzon	Laoag	Province (P. M.)	1,873	156,700
Ilocos Sur	Luzon	Vigan	Province (C.)	644	172,836
Iloilo	Panay Guimaras	Iloilo	Province (P. M.)	811	472,798

[C. = civil; P. M. = politico-military.]

Province and district.	Island where situated.	Provincial capital.	Designation.	Areas, in square miles.	Population.
Infanta	Luzon, Polillo	Binangonan	Comandancia (P. M.)	3,773	10,100
Isabela	Luzon	Ilagan	Province (C.)	4,467	54,026
Itaves	Luzon	O'Dona	Comandancia (P. M.)	(?)	15,208
Iligan	Mindanao	Iligan	(?)	(?)	(?)
Laguna	Luzon	Santa Cruz	Province (C.)	684	177,000
Lanao	Leyte, Mindanao, Panaon	Marahui	District (P. M.)	(?)	(?)
Lepanto	Luzon	Cervantes	Comandancia (P. M.)	835	16,160
Levac	Mindanao	(?)	do	(?)	(?)
Leyte	Leyte, Baliran, Pancon	Tacloban	Province (P. M.)	3,087	270,491
Malabang	Mindanao	Malabang	Comandancia (P. M.)	(?)	(?)
Manila	Luzon	Manila	Province (C.)	264	500,000
Masbate	Masbate, Ticao	Masbate	Province (P. M.)	511	19,517
Matti	Mindanao	Matti	Comandancia (P. M.)	3,719	16,180
Mindoro	Mindoro, Lubang, Ylin, Marinduque	Calapang	Province (P. M.)	4,250	172,711
Misamis	Mindanao, Camiguin	Cagayan de Misamis.	District (P. M.)	6,911	113,695
Morong	Luzon	Morong	Comandancia (P. M.)	422	42,083
Negros (oriental)	Negros, Sequijos	Dumaguete	Province (P. M.)	1,160	94,782
Negros (occidental)	Negros	Bacolod	do	1,929	296,995
Nueva Ecija	Luzon	San Isidro	do	4,110	155,000
Nueva Viscaya	Luzon	Bayombong	do	1,700	17,039
Palawan (Paragua)	Palawan	Puerto Princesa	do	5,630	50,000
Pampanga	Luzon	Bacolor	Province (C.)	840	222,932
Pangasinan	Luzon	Lingayen	do	1,611	304,000
Principe	Luzon	Baler	Province (P. M.)	828	11,000
Quiangan	Luzon	Magylang	Comandancia (P. M.)	31	29,800
Reina Regente	Mindanao	Reina Regente	do	(?)	(?)
Romblon	Romblon, Tablac, Sibuyan, Carabao, Banton, Simara, Maestra, Campo	Romblon	do	844	38,000
Samar	Samar	Catbalogan	Province (P. M.)	5,337	200,753
Sarangani (bay and island).	Mindanao	(?)	Comandancia (P. M.)	(?)	(?)
Siassi	Tapul group	Siassi	do	44	12,269
Sorsogon	Luzon	Sorsogon	Province (P. M.)	750	98,650
Sulu	Sulu group	Sulu	do	350	17,000
Surigao	Mindanao, Binagat, Siargao, Bucas	Surigao	District (P. M.)	7,265	95,322
Tarlac	Luzon	Tarlac	Province (C.)	1,109	115,000
Tataan	Tawitawi and islets.	Tataan	Comandancia (P. M.)	385	2,500
Tayabas	Luzon	Tayabas	Province (C.)	1,919	105,576
Tiagan	Luzon	San Emilio	Comandancia (P. M.)	(?)	6,830
Tukuran	Mindanao	Tukuran	do	(?)	(?)
Union	Luzon	San Fernando	Province (C.)	741	105,135
Zambales	Luzon	Iba	do	1,647	86,641
Zamboanga	Mindanao	Zamboanga	District (P. M.)	3,806	21,364

Even under the Spanish system of government, a reduction in the number of these administrative divisions might, without detriment to the people and with great advantage to the treasury, have been effected by the consolidation of adjacent provinces and districts, and it is not conceivable that the multiplication of divisions will be retained in the future. But even when the number of provinces and districts has been reasonably curtailed by such combinations, and perhaps occasional divisions, as may be found feasible and expedient, a fundamental question will remain regarding them which involves the future polit-

ical development of the archipelago. The problem may perhaps best be expressed in terms drawn from American experience. Shall the provinces and districts of the Philippine Islands be transformed into counties so that the archipelago and its parts might in their administrative divisions fairly be compared with the State and counties of Massachusetts or New York, or shall there be a consolidation of those provinces and districts which are already united by natural features or by the common speech of their inhabitants with a view to the formation of a small number of commonwealths the union of which would constitute the general government of the Philippine Islands? Essentially the question is this: Shall the Philippine Islands be one commonwealth or a confederation of, say, a dozen commonwealths? In the latter case the archipelago would be likened to the United States of America; in the former to New York or New Mexico.

This is a subject to which the commission has given earnest consideration. And the draft of the constitution submitted as Exhibit VI, which at the request of the commission was prepared by a committee of eminent Filipinos whose leading spirit was in full sympathy with Aguinaldo, shows the kind of government which, on paper at least, might be constituted by the united commonwealths or regions of the Philippine Islands. In a country of such differences and varieties of population and social conditions there seems, if not any considerable real advantage, at least a theoretic propriety and fitness in grouping together by themselves, irrespective of existing provincial and district boundaries, the different tribes who inhabit the archipelago—Visayans, Tagalogs, Vicols, Ilocanos, etc.—and allowing them to manage their own local affairs; but that is a very different matter from constituting these new regions into independent and sovereign states, which delegate certain of their functions to the general government of the archipelago, as the framers of the above-mentioned constitution have actually done. To any such organization of Philippine states the commission is distinctly opposed; it is copied from the constitution of other countries in which the conditions are totally different from those which exist in the Philippines.

After the American Revolution the thirteen colonies, which had for generations been accustomed to complete self-government, were sovereign and independent States, and they could form a general government only by delegating to it some of their own inherent powers. But in the Philippines there never has existed a Vicol, Visayan, or Tagalog state, which therefore is only an imaginary entity; even the numerous provinces into which Vicols, Visayans, and Tagalogs were divided never had experience, as we have already seen, in real self-government; and, finally, there has existed for centuries a general government which administered the affairs of the archipelago without any control and almost without any advice from the inhabitants. The

situation, therefore, is diametrically opposed to that in which the thirteen colonies found themselves when they came together for the formation of a federal union. And however able, honest, and well-intentioned the framers of the proposed Philippine constitution now under consideration may have been, the fact remains that the effect of that instrument would be the disruption of a strong single general government which already exists (and which is now in American hands), and the erection on its ruins of imaginary state governments to be conducted by people who have had no experience in government except in a very limited way in the administration of municipal affairs. The conclusion of the whole matter, in the opinion of the commission, is that the Philippine Islands should remain one commonwealth and never become a confederation of commonwealths.

On the other hand, the commission is in favor of a considerable delegation of power on the part of the Manila government to the municipal councils and the provincial governments (which are really not more than county councils and should be so designated) throughout Luzon and the Visayan Islands, and to some extent in Mindanao. From investigations conducted by members of the commission in all these regions, it is known how strong is the desire of the people to manage their own local affairs. The member of the commission who visited the southern islands reports that in Negros and other Visayan Islands this desire for local home rule is an ardent passion. It can never be satisfied as long as the military power of the United States is in supreme control, for it is an axiom with all Filipinos—an axiom learned of bitter experience and not merely derived from the political wisdom of mankind—that there is no genuine freedom where the military power is not subordinated to the civil. And on behalf especially of the people of Negros, who resisted an invasion of the Tagalog insurgents and voluntarily raised the American flag, and who were promised ample liberty of self-government, the commission desires most respectfully to urge the establishment of civil government at the earliest practicable date.

It is also believed that the general substitution throughout the archipelago of civil for military government (though, of course, with the retention of a strong military arm) would do more than any other single occurrence to reconcile the Filipinos to American sovereignty, which would then stand revealed, not merely as irresistible power, but as an instrument for the preservation and development of the rights and liberties of the Filipinos and the promotion of their happiness and prosperity. To secure the confidence and affection of the Filipinos it is necessary not only to study their interests, but to consult their wishes, to sympathize with their ideals and prejudices even, and (so far as the public safety permits) to let them in all local affairs govern themselves in their own way. This was the spirit of the proclamation

issued by the commission on April 4, which will be found in Part I of this report.

Nor will the demands of the Filipinos for local autonomy be so extravagant as to endanger the authority of the general government. It must be remembered that men's wants are correlative to their experience; and it is rather an enlargement of the privileges conceded to the towns and provinces by Spain, and an elimination of the evils of that system, than something entirely new and exorbitant that the Filipinos now desire. This is amply confirmed by evidence taken by the commission; but in order to avoid the possibility of misrepresentation, it may be advisable to cite again the constitution of the so-called Philippine republic. Articles 57 and 82 of that document read as follows:

ART. 57. The conduct of the interests peculiar to the towns, the provinces, and the state, belong, respectively, to the popular assemblies, to the provincial assemblies, and to the general government, with due regard to the laws, and upon the basis of the most ample administrative decentralization and autonomy.

ART. 82. The organization and powers of the provincial and popular assemblies will be regulated by their respective laws.

The latter shall be governed by the following principles:

First. Government and management of the interests peculiar to the provinces or towns, by their respective corporations, the principle of popular and direct election being the basis for the organization of said corporations.

Second. Publicity of the sessions within the limits prescribed by the laws.

Third. Publicity of the budgets, accounts, and important decisions.

Fourth. Intervention of the government, and in the proper case of the national assembly, in order to prevent the provincial and municipal corporations from exceeding their powers, to the prejudice of general and individual interests.

Fifth. Determination of their powers in the matter of taxes in order that the provincial and municipal taxation may never be antagonistic to the system of taxation of the state.

A mere reading of these principles for the regulation of provincial and municipal administration in the Philippines discloses the fact so often observed by the commission in other connections that the political ideal of the Filipinos coincides with the political practice and tradition of the Americans. Barring the paragraph on "intervention" (of which more below), are not the principles which Aguinaldo's constitution lays down for the regulation of the administration of local affairs the principles actually in operation in the town and county councils of our own States and Territories? They are precisely the principles which American administrators would seek to realize in the Philippines. As in their bill of rights, so again in their demands for provincial and municipal autonomy, there is a complete harmony between the aspirations and needs of the Filipinos and the desire and capacity of the Americans to satisfy them.

The idea of "intervention," which is foreign to American practice, is fundamental to the whole political life and thought of the Filipinos.

Acquired from long experience with Spanish methods of government, the idea has taken such a firm hold of the mind of the Filipinos that they find government of any kind inconceivable without it. Thus when the people of Negros drew up a constitution providing a civil government for themselves they provided, although their policy was to have a government as free and independent as that of one of the States of our Union, that the "Government of the United States shall have the right to exercise such internal supervision and control as will secure to all citizens of the State of Negros as well as to aliens the protection of person and property and the rights, privileges, immunities, and liberties guaranteed and provided by this constitution (sec. 21)."

A people desiring local home rule under such restrictive safeguards may surely be intrusted with a large measure of it without any danger to the public interests. If the general government which the United States sets up for the archipelago is to exercise inspection, intervention, regulation, and control over the functions of the provincial and municipal authorities—and that is the ideal of the Filipinos themselves—then there would seem to be no reason why these local authorities should not be vested with substantially the same powers as are enjoyed respectively by the county and town councils throughout the States and Territories of the Union.

The Filipinos' ideal of a general government.—The Aguinaldian constitution (Exhibit IV) presupposes an absolutely independent Philippine republic, and the constitution prepared for the commission (Exhibit VI), having for its object the conciliation of the revolted Tagalogs, goes very far in the same direction. Neither of them, therefore, is of the highest utility in illustrating the kind of general government which the Filipinos, under normal conditions, would desire the United States to establish. There are, however, two fundamental conceptions common to those constitutions which serve to throw no little light on the political philosophy of the Filipinos. One of them is borrowed from England by way of Spain. It is the irresponsibility of the chief executive and the responsibility to the legislature of his ministers. The other is the institution of a permanent commission, composed of members of the legislature, to keep a watch upon the chief executive, the members of his cabinet, the chief justice, and other high officials of the government. It is a system of general distrust, of divided power, of indirect responsibility; and in harmony with it the Aguinaldian constitution provides that the chief justice should be appointed by the legislature, in concurrence with the president of the republic and the members of his cabinet. This complex system, which violates so many of the vital principles laid down by Hamilton and Madison in the Federalist, is undoubtedly an attempt along those Spanish lines with which alone the Filipinos were familiar, to circumvent knavish and oppressive rulers whom a long experience

had accustomed them to regard as an inevitable part of government. They had never dreamed of the simple American plan of giving the chief executive large powers and of holding him strictly accountable for the use made of them, his cabinet being merely an advisory body; and they had not risen to the great and fruitful conception of the complete separation and mutual independence of the executive, the judicial, and the legislative departments of government. It will take time and require visible demonstration to convince the inexperienced Filipinos of the superiority of the American method of a strong executive who shall be completely independent of the legislature.

The masses of the Filipino peoples, including practically all who are educated or who possess property, have no desire for an independent and sovereign Philippine state. They were not, however, satisfied with the Spanish régime, against which, as has been shown elsewhere, they finally rose in rebellion; not, however, for the sake of throwing off Spanish dominion, but to wrest from it by force (since every other agency had proved ineffectual) those civil rights and political franchises which had so long been denied them. The programme of that insurrectionary movement has been given in an earlier section. It was a brief statement and nothing more. If that bald outline had been filled up, if some Filipino publicist who sympathized with his fellow-citizens had articulated their wants and formulated their demands in an elaborated scheme of a general government for the archipelago under the ægis of Spanish sovereignty, with a reasonable partition of governmental functions between the sovereign state and its dependency, we should then be in a position to ascertain the aspirations and ideas entertained by the Filipinos in regard to a form of general government for the Philippine Islands.

Happily this desideratum has been fulfilled. There is a scheme of Spanish sovereignty and Philippine autonomy drafted by a distinguished Philippine publicist, Pedro A. Paterno, the prime minister of Aguinaldo since May last, and the negotiator in 1896 of the agreement of Biac-na-Bató between the Spanish governor-general and the insurgents under Aguinaldo. The scheme was drawn up after Dewey's crushing victory on May 1, with the express object of winning over the Filipinos to the side of Spain in her contest with the United States. Naturally, therefore, everything is conceded to the Filipinos which they might be supposed to desire; and there would be the less hesitancy in making promises as, in case of Spanish success in the impending struggle, the government might be expected to find some way of evading its obligations, as it had notoriously done on other occasions. Paterno's scheme, therefore, undoubtedly represents the maximum claims which, under any circumstances whatever, the Filipinos could think of making from the power which exercised sovereignty over them. The scheme was dated June 19, 1898, and, with Paterno's sig-

nature, circulated from the governor-general's office. The copies in the possession of the commission were furnished by one of Aguinaldo's emissaries who came in to discuss terms of peace, soon after Paterno succeeded Mabini, in May last, as head of Aguinaldo's cabinet; and he made no secret of the fact that he presented them at the request of his "government," which at that time seemed ready to drop the idea of independence and make peace on the basis of home rule for the Philippines under the sovereignty of the United States. Apparently, therefore, the insurgent "government" adopted this scheme of its then premier as the basis of its maximum demands for an autonomous general government for the Philippines; and, though other influences (prominent among which was the recalcitrancy of insurgent generals to the authority of their "government") prevented the cessation of further bloodshed, the fact that Paterno's scheme fully satisfied the political aspirations of the insurgents (barring only ambitious military leaders) makes it all the more valuable as an indicator of the demands of the Filipinos in the matter of a general government for the Archipelago.

The scheme, then, is the work of a highly educated man, a politician known both in Manila and Madrid, a distinguished publicist, the trusted negotiator between insurgents and Spaniards, and the latest prime minister of Aguinaldo. Its claims came at a time when Spain was *in extremis* and ready to make every concession, and the measure as a whole was the maximum demand which the great body of the Tagalog insurgents, even before their military organization had been broken up, desired to make of the United States. These circumstances are brought together in order to show that the Filipinos would in all probability consider themselves fortunate to secure a frame of autonomous government which contained some abatement of the large pretensions which, considering the time and the object, Paterno was justified in setting forth on their behalf. The scheme, in other words, is not an irreducible minimum, but an exorbitant maximum.

What, then, is Paterno's scheme of Spanish sovereignty and Philippine autonomy? First of all, it has the great merit of specifying those functions and objects of government which, concerning as they do the general life of the Spanish nation, must be regarded as the expression of Spanish sovereignty and the care of the Spanish Government either directly or through its representative—the governor-general. These are the representation and authority of the King, which is the nation; guardianship and defense of the constitution of the state; faculties inherent to the patronato de Indias (lordship over the Indies); responsibility for the preservation of order and the security of the Philippines; army; navy; courts of justice; diplomatic representation; general administration of the archipelago (as allowed in the general estimate for the state); direction of the general policy; vigilance for the faith-

ful observance of the law; decision on all conflicts between corporations and entities; constant relations between the Philippines and the sovereign state; appointment and dismissal of the representatives in the several branches of the executive, in accordance with the general laws of the nation (appointment and dismissal of Philippine ministers); declaring null and void and suspending all resolutions of the assembly when they are ultra vires, or when they are contrary to the national interests; exercise of clemency in the name of the King, and suspension of execution in cases of capital punishment. When the governor-general discharges any of these functions he is responsible to the council of the King's ministers in Madrid, who are under the jurisdiction of the supreme tribunal of the nation. The Filipinos have nothing to do with any of these powers or functions, or with the governor-general in exercising them. They inhere in Spanish sovereignty and remain untouched by Philippine autonomy.

Philippine autonomy, on the other hand, consists of a representative assembly or legislative power which takes cognizance of the special interests of the Philippines, and to which, within that field, the executive power, namely, the governor-general, or rather the ministers through whom he is obliged to govern, are responsible for their acts.

To the assembly are committed the following interests and functions: Public local administration or interests which are purely and exclusively Philippine, in conformity with a principle of radical decentralization, under the unity of the state and assuming the integrity of the Spanish mother country, such as:

Administration of local justice; administrative organization; territorial, provincial, municipal, or judicial division, establishment and police of towns; Philippine militia; electoral proceedings; institution of the census; qualification of electors; how to exercise the suffrage, particularly as regards the election of Philippine deputies to the Spanish Cortes as a token of the strong ties that bind the Philippines and the mother country; public education; public works and communications (roads); charities and sanitation; agriculture, industry, commerce, taxes, tariff, and treaties of commerce relative to the Philippines; public credit—banks and currency; immigration; waterworks; ports; workingmen (labor); voting and preparing the estimate of local revenues and expenditures, stating their nature, object, and ends, without encroaching, however, on the functions of the sovereignty as regards the general budget of the nation; making proposals to the central government relative to the abrogation or amendment of the laws in force in the Kingdom, projected laws on given subjects, and executive dispositions touching the Philippines; administering to the governor-general the oath that binds him to uphold the constitution and the laws guaranteeing the Philippine autonomy, and to make effective the responsibility of the Philippine ministers.

The executive power or council of government is composed of the president of the council, the minister of finance, the minister of grace and justice, the minister of government (interior administration), the minister of public education, the minister of public works and communications, the minister of agriculture, industry, and commerce.

Their duties are to make effective the national laws and the statutes and all other acts of the Philippine assembly. They are responsible for their actions before the assembly. No act of the governor-general will be enforced unless countersigned by one of the ministers or secretaries of the executive.

These are the essential features of Paterno's plan of government, which, in its entirety, will be found in Exhibit VII. And when these features are carefully examined and compared, a striking likeness to the American system of Federal and Territorial government is disclosed. As already explained, the monarchical plan of cabinet responsibility must give way to the direct responsibility of the chief executive himself, whose cabinet, consisting of departmental heads, would be a body of advisers merely. That change being made, the governor-general or governor (whichever he may be designated) of the Philippine Islands would be responsible to the United States alone—presumably to both the President and Congress—for the proper administration of the high trust committed to him. If he failed in his duty the Filipinos would have redress through representations to Congress, in which, under our Territorial laws, they would have at any rate one of the delegates for whom Paterno's scheme provides "as a very close bond of union between the Philippines and the sovereign state."

It is, however, in the remaining portions of the scheme—the distribution of governmental functions between the sovereign authority and the dependency—that the resemblance to the American plan of Territorial government is so conspicuously noticeable. Even though Paterno's demands for the Filipinos, coming at a time when Spain was ready to grant anything, were, from the standpoint of the natives themselves, certainly exorbitant, it is surprising to find how few of the powers asserted for the Philippine legislature are out of harmony with the practice of the United States in setting up Territorial legislatures. Take out the tariff and treaties of commerce and the banking and monetary system, as well as the power of administering the oath to the governor-general, transfer them to the list of powers enumerated as inherent in the sovereign state, and Paterno's ideal resolves itself into a plan of Territorial government for the Philippine Islands almost identical with that of New Mexico. It is to be noted, too, that he recognizes in the sovereign state the right to veto the acts of the local legislature, and to resolve conflicts between corporations of every kind, as well as the duty of directing the general policy of the dependency, enforcing obedience to law, and maintaining peace and order

and security to person and property. While the sovereign state delegates certain of its functions to the Philippine legislature, it obviously retains an amplitude of power, both for controlling the doings of that body and for exercising independently all the remaining functions of government. That the sovereign power should appoint the governor-general, that no executive officers should be elected by the Filipinos, is assumed by Paterno as though it were a part of the natural order of things.

Chapter III.

PLAN OF GOVERNMENT FOR THE PHILIPPINES.

After the foregoing account of the Spanish system of government in the Philippines and also of the political aspirations and ideals of the Filipinos it is now in order to consider the question of a plan of government for the archipelago.

Provincial and municipal government.—It is necessary, in dealing with this subject, to recall what has already been said of the idea entertained by the Filipinos of the necessity of intervention and control on the part of the Manila government over the doings of the provincial and municipal authorities. Even in local affairs it is not an absolute but a qualified home rule they desire; they look for supervision and regulation from the central government at Manila. If this expectation is satisfied by the continuance of the custom of inspection and ultimate control from Manila, and this the Commission deem absolutely essential, it will be safe and, in the opinion of the Commission, expedient and desirable to grant to the inhabitants of the archipelago a large measure of home rule in local affairs. Their towns should enjoy substantially the rights, privileges, and immunities of towns in one of the Territories of the United States.

As to the provinces, the Commission is of the opinion, in view of the facts submitted in the preceding sections, that they should be turned into counties (with or without consolidation or division, as circumstances of size, population, race, physical features, etc., may determine) and vested with substantially the same functions as those enjoyed by a county in one of the Territories of the United States. This system might be applied to Luzon and the Visayan Islands at once, with some exceptions, though inconsiderable, in the mountain regions, and a beginning might also be made on the coasts of Mindanao, while the Sulu Archipelago, calling for special arrangements with the sultan, need not be considered in this connection. It is of course intended that the Filipinos themselves shall, subject to the general laws which may be enacted in this regard, manage their own town and county affairs by the agency of their own officers whom they themselves elect,

with no contribution to this work from American officials except what is implied in the Philippine conception of intervention and control on the part of the central government at Manila. The suffrage should be restricted by educational or property qualifications, or perhaps even both.

The system will necessitate a small body of American officials of great ability and integrity, and of much patience and tact in dealing with other races; and (what will be still more difficult to find at the outset) they should know the country, have experience in dealing with the natives, and speak in addition to Spanish the language of the locality over which their jurisdiction extends. They may be called advisers, residents, or commissioners, the latter designation being perhaps preferable, as the other two suggest a chieftain or sultan with whom the official resides and to whom he gives advice, a condition of things which exists nowhere in Luzon or the Visayas, where three centuries of Spanish rule has extinguished all the "datos" or chieftains that ever existed. One such commissioner for every 250,000 natives should suffice; and where a tribe exceeds that number—as both the Visayans and Tagalogs do—it would conduce both to economy and efficiency of organization to have one commissioner and one or more assistant commissioners. In taking over the five Malayan states in 1874 Sir Andrew Clarke appointed at the start only five British officials—an assistant resident in Perak, one in Selangor, and a resident for each of the other three states. The population of the Federated Malay States (in 1891) was as follows: Perak, 214,254; Selangor, 81,592; Sungei Ujong, 23,602; Pahang; 57,462; Negri Sembilam, 41,617.

It would be the duty of the commissioners to make regular reports of their work to some department of the government at Manila—presumably the secretary for the interior. Their main function would be to advise the county and town councils in the proper discharge of their duties; but, as in the case of Sir Andrew Clarke's residents, "whose advice (it was stipulated) must be asked and acted upon," the Filipinos should be required—as indeed they will expect—to follow the advice of the corresponding American officials. In watching the collection of local revenue and controlling its expenditure, the commissioners would find the most important portion of their duties. If, from the American point of view, all this seems to contradict the principle of local home rule, it is what the Filipinos have been accustomed to and what they expect and desire. It has been the most potent instrumentality for the political education of their brother Malayans in the Federated Malay States; and, finally, it is the indispensable safeguard to the extension of a large measure of home rule to Philippine towns and counties. Our government of the Philippines must be adapted to the Filipinos; and the Commission desires to state, after much and varied inquiry, that the Filipinos are scarcely more stren-

uous in demanding local home rule than they are free in suggesting limitations upon it by means of intervention and control on the part of the central government at Manila.

The Philippines under an American protectorate.—It has been thought by many that the system of government by protectorate which Sir Andrew Clarke established with such happy results in the Malay Peninsula should be applied by the United States to the Philippine Islands, whose people (or nine-tenths of them) are also of the Malayan race. Much has been written upon the question, and the confidence of the advocates of such a protectorate over the Philippines seems to be in inverse proportion to their acquaintance with the details of the organization and operation of the protectorate set up by Sir Andrew Clarke in the Malay Peninsula. Here it must suffice to call attention to a few crucial facts.

In the first place, Sir Andrew Clarke's policy of a protectorate was for a considerable time a good deal of a failure. Indeed, his successor, Governor Jervois, suggested direct annexation as a solution of the difficulty created by the protectorate. If the latter, thanks to the steady support of the British Government and the efforts of able and experienced administrators, finally proved successful, it is quite conceivable that any other reasonable policy of government would have had similar good fortune under the same circumstances. But, in the second place, the system which ultimately triumphed is not the simple original, but a development of it patterned after the crown colony. There was no violent break in the beginning, for, indeed, everything followed naturally upon British control of revenues and expenditures which Sir Andrew Clarke secured. Next to that in importance came the system of British residents, "whose advice must be asked and acted upon on all questions other than those touching Malay religion and custom." As a result there has emerged a veiled crown colony, in which everything is done in the name of the Sultan, who flies his own flag and enjoys increased income. The Sultan has only the semblance of power, the British authorities having absolute control, even to the point of exercising such acts of dominion as the deposition of the Sultan, the settlement of his succession, and a general manumission of slaves.

But whatever the precise character of the protectorate which Great Britain exercises over the Malay Peninsula, and however successful in its latter history or unsuccessful in its earlier, there are two fundamental differences between the conditions and circumstances of the Malayans and Filipinos which vitiate the proposal to transfer offhand the governmental system of the one to the other people. First, the United States is in possession of sovereignty over the Philippine Islands, whereas Perak, Selangor, and Sungie Ujong were independent states when Sir Andrew Clarke arrived in Singapore in 1873, as governor of the Straits Settlements, and his intervention in their affairs was due

solely to the invitation of their chieftains, whose governments had lapsed into anarchy. It was a voluntary engagement entered into by the chiefs, who had come to the British authorities saying: "Give us people to open up our country; we are quite ready to take your advice and be guided by your influence." Though the present relation, as has been shown above, between the British authorities and the Malayans has a very different complexion—British control in the Malay Peninsula being now as complete as in a crown colony or dependency—nevertheless the beginnings of it, as Sir Andrew Clarke was fond of proclaiming, were contained in that Macedonian cry of the independent but perplexed and impotent chieftains. Whether the British response to that invitation from sovereign states is the best precedent for American dealings with its new Philippine dependency is a question that, on the face of it, does not by any means imply an affirmative answer.

But there is another difference which certainly necessitates a negative answer. The Malayan sultans were already in possession of government, and, though there were temporary disturbances, the people were in the habit of obeying them. In other words, there was in each state an established sovereign to whom the people owed and recognized allegiance. Whoever secured the sultans secured their subjects. And Sir Andrew Clarke has told how he endeavored to reach them by personal influence. "In place of anarchy and irregular revenues, I held out," he says, "the prospect of peace and plenty. I found them in cotton. I told them that if they would trust me I would clothe them in silk. Their rule had resulted in failure. I offered them advisers who would restore order from chaos without curtailing their sovereignty." All this illustrates vividly the nature of the Malayan governments, which, as has been said, consisted on the one hand of a sultan, and on the other of subjects who owed him obedience. And the problem of gaining the country and governing the people resolved itself simply into the problem of winning over and then controlling the sultan. England instituted a protectorate over the Malay Peninsula because she had no sovereignty there and because there existed in the sultans established monarchies which desired (or were induced to ask for) her protection.

The United States possesses sovereignty over the Philippine Islands, and nowhere in the archipelago (excepting Mindanao, Palawan, and the Sulu group) are there sultans or chieftains. At the time of the Spanish conquest the great majority of the natives were governed by chieftains or "datos," as they still are in Sulu and the Malay Peninsula. But the Spanish system of government was uncongenial to the system of native rulership, and by degrees the native potentates disappeared throughout Luzon and the Visayan Islands and all the region in which the Spanish dominion was effective. The "cabeza de barangay," or head of a hundred, as explained elsewhere, inherited some of the

dato's functions; and this office was at first hereditary and carried with it honors strikingly in contrast with the disrepute which overtook it in later days when the incumbent, elected and compelled to serve, had little to do but collect taxes for the Spanish government.

The Filipinos to-day (always excepting the Sulu group and parts, especially in the interior, of Mindanao) are a pure democracy, without distinctions of birth or rank—a mass of people without hereditary chieftains or rulers. The Spanish governor-general once ruled them with the aid of soldiers, civilians, and ecclesiastics from Spain, and now that Spanish sovereignty is gone there are no constituted authorities, no natural leaders, who can speak for the inhabitants of the archipelago. Aguinaldo's influeuce over the Tagalogs might, indeed, have been utilized had he not made war upon their liberators; and there are other natives who enjoy much prestige among the Visayans, Vicols, Pampangos, Pangasinanes, Ilocanos, and Cagayanes. But so long as obedience remains the essence of government, the fact is indisputable that while the sultans of the Malay Peninsula ruled their own states, there was nothing corresponding to them in Luzon and the Visayan Islands, in which, therefore, the Americans were estopped from instituting a protectorate, even had they desired to copy in a territory over which they possessed sovereignty the practice of the British in dealing with a territory over which they neither had nor pretended to have a shadow of sovereignty.

But while in this contrariety of circumstances, it is impossible, even were it deemed desirable, to transfer the Malayan form of protectorate to the Philippine Islands, the exceptional condition of the Sulu Archipelago and portions of Mindanao and Palawan (in which, as Spanish dominion had never been rendered effective, the primitive institutions of the native races still survive in undiminished vigor), calls for special treatment, which may, in the opinion of the Commission, wisely follow the general lines laid down by Sir Andrew Clarke in dealing with analogous conditions in the Malay Peninsula. Indeed the Commission, through its member who visited these portions of the archipelago, recommended to the President in the spring of 1899, that the United States should make agreements with the sultan of Sulu and his principal datos or chieftains, as well as with the other Mohammedan authorities, and the datos of the numerous semi-civilized and barbarous people who still retained their tribal organization in the less accessible parts of Mindanao. That this plan has since been followed is a source of much gratification to the Commission. But the wisdom of it, it may not be inappropriate to add, rests solely upon the circumstance that in the Sulu Archipelago, and in parts of Mindanao, there were long established and venerable chieftaincies which commanded the obedience of tribes of natives over whom the Spanish sovereignty inherited by the United States was a nominal suzerainty,

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which, if it externally encompassed them, scarcely touched the internal organization of their tribal life.

Naturally, therefore, this policy could not be applied to the civilized peoples who form the great majority of the Filipinos; it could not be applied to the Visayans of Panay, Negros, Cebu, Bohol, Samar, and Leyte; nor to the Vicols of southeastern Luzon; nor to the Cagayanes of northeastern Luzon; nor to the Ilocanos of northwestern Luzon; nor to the Pampangos and Pangasinanes of central Luzon, where there were no hereditary chieftains, no accustomed leaders to whom the people had learned to yield obedience; nor could it be applied even to the Tagalogs, who, in spite of Aguinaldo's sudden ascendency, never entertained for their parvenu dictator that universal, deep, and life-long loyalty which binds the Malayan to his hereditary sultan. A protectorate presupposes an established government to protect, and the example of India, the Malay Peninsula, Egypt, and other parts of Africa all seem to show that a protectorate involves also an hereditary ruler.

While the masses of the Filipinos as little desire a protectorate as they do absolute independence, there can be no doubt that an American protectorate over their so-called "Philippine republic" is the ideal of the Tagalog insurgent leaders to whom the formation of that organization, at least on paper, offered a welcome means of escape from the despotic associations of the previous dictatorship, which, in fact, continued unchanged. But a protectorate over the Tagalog portion of the archipelago, the whole of which is under American sovereignty, would be at least an anomaly. And attention must once more be directed to the necessity, in the light of history, of having as head of the protected community a single and permanent executive, an hereditary ruler, with whom alone the protecting power is to have relations. How these relations, which are essentially personal, could be maintained with one or a group of fortuitous politico-military adventurers, up to-day and down to-morrow, or even with a plural executive like the president, assembly, and permanent commission, imagined in the Aguinaldian constitution, it is impossible to conceive. Besides, the only kind of protectorate which the insurgent leaders ever attempted to formulate was one under which the United States, like a good angel, should incur all the responsibility of protecting a Philippine government (when one was created) against foreign nations, while the Philippine officials themselves collected all the revenues. Though they talked of the British protectorate over the Federated Malay States as a model, the last thing they desired was the incorporation of the essential features of that scheme in an American protectorate over the Philippine Islands, the three general features, namely, of British exclusive control both of taxation and expenditure; the system of British advisers, whose advice is an inexorable command; and the policy of developing

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each of the protected states into the form and character of a British crown colony.

The idea of a protectorate entertained by the insurgent leaders, under which they should enjoy all the powers of an independent sovereign government, and the Americans should assume all obligations to foreign nations for their good use of those powers, would create an impossible situation for the United States. Internal dominion and external responsibility must go hand in hand. Under the chimerical scheme of protection cherished by Aguinaldo, if a foreigner lost his life or property through a miscarriage of justice in a Philippine court or in consequence of a governor's failure to suppress a riot, then the United States would be responsible for indemnity to the foreigner's government, though without possessing the power of punishing the offenders, of preventing such maladministration, or of protecting itself against similar occurrences in the future. Nor could the liability to foreign nations be reduced without permitting them directly to seek redress, and such a course would, it is to be feared, speedily lead to the appropriation of the Philippine Islands by the great powers who would not need to seek far for pretenses for intervention.

It is, of course, a quite different proposal to relinquish sovereignty over the Philippine Islands as soon as the Filipinos are capable of governing themselves. So far as such a policy rests upon conceptions of American duty, convenience, or expediency, it does not fall to this Commission to consider it. But, from the point of view of the Philippines, it is proper and, indeed, imperative to observe that, in the opinion of the Commission, the consideration of that proposal must be qualified by two conditions: First, it is impossible, even approximately, to fix a time for the withdrawal of American sovereignty over the archipelago, as no one can foresee when the diverse peoples of the Philippine Islands may be molded together into a nationality capable of exercising all the functions of independent self-government. They are certainly incapable of such a work to-day; whether in one or more generations they can be trained to it only the future can disclose. And, secondly, if American sovereignty over the archipelago should ever be relinquished, if all American authority over the people should ever cease and determine, then the United States should renounce all obligations to foreign nations for the good conduct of the Filipinos. Undoubtedly the raising of the American flag in the Philippine Islands has entailed great responsibilities upon us; but to guarantee external protection while renouncing internal dominion is no way of escaping from them; on the contrary, while you pull down the flag you only pile up difficulties.

The Philippines as an American colony.—The example of Great Britain, who has been brilliantly successful in governing dependent peoples, has suggested a colonial form of government for the Philip-

pines; and this plan seems to have won greater favor with the general public than any other. It will be well, therefore, to examine with some care the different kinds of British colonies and the corresponding types of colonial government.

One variety of British colony is exemplified in our northern neighbor. Canada, like Australia and South Africa, possesses representative institutions and responsible government. These are the great self-governing colonies, which, though nominally dependent, are in reality independent. They contribute nothing to the British treasury; they obey not British but home-made law; they make their own tariffs, and even go to the length of laying protective duties upon goods imported from the mother country.

The only British elements in the Canadian government are the governor-generalship, whose incumbent represents the British sovereign and is equally divested of personal power; the imperial veto power on Canadian legislation, which is already growing obsolete; the appellate jurisdiction of the privy council, which has been partly reduced, and the imperial management of Canadian relations with foreign coun tries, which, however, Canadian participation is rendering largely nom inal; and, though the protection of the British army and navy is as real as ever, Canada herself is becoming a voluntary contributor to the imperial forces and a silent partner in the military policy of the Empire. The self-governing colony may, therefore, be defined as an independent nation which retains survivals of once real forms of dependence upon the mother country, with which to-day it stands in friendly alliance against the rest of the world. It is a union of sentiment as well as of interests, and could scarcely exist without a predominance of British blood in the colonies, as, indeed, affairs in South Africa now sadly illustrate.

There is no analogy between the relation of the self-governing colony of Australia or Canada to Great Britain and that of the Philippine Islands to the United States. Instead of community of blood, race, and language there is the greatest diversity, and instead of a common political experience the one has always breathed the air of freedom, the other has been repressed and atrophied by despotism. Clearly the plan of a self-governing colony is a misfit to the Philippines. And apart from the insurgent leaders, the Filipinos who are intelligent enough to discuss the question are of the opinion that no Philippine government could safely or wisely be intrusted with such unlimited home rule, such practical independence. Indeed, if it were not for the misleading associations of the word "colony," it would be recognized at once that the self-governing communities of Canada and Australia furnish no better model for a Philippine government than the State of New York or even the German Empire.

Two other types of British colony remain—the crown colony, which

is the more common, and the colony having representative institutions but not responsible government. Of the latter British Guiana is an example; of the former Hongkong. Most of the countries with dark-skinned inhabitants which are under British rule are crown colonies, and most of the crown colonies consist of countries of that description For all practical purposes India may be regarded as a crown colony.

In the crown colonies the British Government has the entire control of legislation and the administration is carried on by officers under the control of that Government. The governor of a crown colony, who is, of course, appointed by the British Government, is assisted by a body called the executive council, consisting generally of heads of departments, who are appointed by the colonial office or by the governor. The governor is not bound by their advice, though he generally acts upon it. There is generally also a legislative council, which consists of the executive council with the addition of certain unofficial nominated members. As a rule the Government officials form the majority of this legislature and, besides, the governor possesses the right of absolute veto.

In colonies possessing representative institutions but not responsible government the British Government retains the control of the executive officers, and in one way or another, though not so directly as in the case of the crown colonies, it also controls legislation. There is usually a legislature with two houses, each containing members nominated by the crown and members elected by the people, the former constituting the majority in the upper house, the latter in the lower. Bills relating to finance, taxation, and the tariff, and also the annual estimates, require the consent of the lower house. This naturally furnishes occasion for conflicts between the representatives of British sovereignty and the representatives of the colonial people. But, in the last resort, they can be settled by the supreme authority of the colonial secretary.

The crown colony furnishes through the agency of the British colonial service an excellent administration of affairs; justice is dispensed, taxes are honestly collected and expended, roads and other public improvements are made, property is secure and life inviolate. But as the government is imposed upon the people from without, it is inimical to the habit of self-government, and this, with all its excellencies, is its fatal defect. For this reason it must be rejected as a model for the Philippines.

On the other hand, the colony having representative institutions but not responsible government is something of an anomaly in the British system. And when it exercises its full potencies, should a conflict arise, the popular will is suppressed by the fiat of the colonial office. It has in it, however, the promise and potency of genuine home rule. What is needed to make a harmonious working system is

the division of governmental functions between the sovereign power and the colony and the autonomy of the latter within its own sphere. The governor might, indeed, be given a qualified veto power on local legislation; and in such a case the whole subject should be referred for final disposition to the legislature of the sovereign power, in which, however, the colony should have a representative to present its side of the case. In this way, without doing any violence to representative institutions, the rights of the local legislature and the supremacy of the sovereign power could be easily adjusted and reconciled. But in these suggested modifications the British colony having representative institutions but not responsible government has developed substantially into the American scheme of Territorial government.

It does not appear, therefore, that in themselves any of the British types of colonial government is susceptible of direct application to the Philippine Islands. On the contrary, the only one with any promise in it points rather to the American plan of Territorial government, in which it seems to find its full fruition.

But even if it were otherwise, the commission desires, on behalf of all the Filipinos, to protest against the suggestion of calling the archipelago a colony. It may be asked, What's in a name? In this case, certainly much; for in the experience of the Filipinos a "colony" is a dependent political community which the sovereign power exploits, oppresses, and misgoverns. No other word in their whole political vocabulary is so ill omened, so terrible, so surcharged with wrongs, disasters, and sufferings. Merely to call it colonial would insure the emphatic and universal condemnation of the Filipinos for the most perfect system of free government which the mind and heart of man could devise for the inhabitants of that old Spanish colony of the Orient.

The solution of the governmental problem in the Philippines is to be found neither in the establishment of an American protectorate nor in the institution of a colonial form of government. Does the history of government in the Territories of the United States furnish any better prospect? This question must now be considered.

Territorial government as a model for the Philippines.—There is now only one kind of Territory in the United States (apart from the unorganized territory of Alaska), but originally and for a long time there were Territories of the first class and Territories of the second class. The fundamental difference was that in the former the legislatures were elected by the people, in the latter appointed by the President. In the ordinance of 1787 it was provided that in the Northwest Territory the governor and judges should make laws by selection from State statutes. Louisiana—all that country west of the Mississippi from the Gulf of Mexico to the Lake of the Woods, extending indefinitely westward—was the first territory acquired beyond the original

limits of the United States; and, after the temporary régime authorized by Congress in 1803, an elaborate scheme of organization was framed which, becoming law in 1804, has been the model for all subsequent bills of Territorial organization. That act, besides enumerating certain laws of the United States which were declared to be in force in the new Territory, provided that its government should be organized and administered as follows:

SEC. 2. The executive power shall be vested in a governor, who shall reside in the said Territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander in chief of the militia of the said Territory; shall have power to grant pardons for offences against the said Territory, and reprieves for those against the United States until the decision of the President of the United States thereon shall be made known, and to appoint and commission all officers, civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law. He shall take care that the laws be faithfully executed.

SEC. 3. A secretary of the Territory shall also be appointed, who shall hold his office during the term of four years, unless sooner removed by the President of the United States, whose duty it shall be, under the direction of the governor, to record and preserve all the papers and proceedings of the executive, and all the acts of the governor and legislative council, and transmit authentic copies of the proceedings of the governor in his executive department every six months to the President of the United States. In case of the vacancy of the office of governor, the government of the said Territory shall devolve on the secretary.

SEC. 4. The legislative powers shall be vested in the governor, and in thirteen of the most fit and discreet persons of the Territory, to be called the legislative council, who shall be appointed annually by the President of the United States from among those holding real estate therein, and who shall have resided one year at least in the said Territory and hold no office of profit under the Territory or the United States. The governor, by and with advice and consent of the said legislative council, or of a majority of them, shall have power to alter, modify, or repeal the laws which may be in force at the commencement of this act. Their legislative powers shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and laws of the United States or which shall lay any persons under restraint, burthen, or disability on account of his religious opinions, professions, or worship, in all which he shall be free to maintain his own and not burthened for those of another. The governor shall publish throughout the said Territory all the laws which shall be made, and shall from time to time report the same to the President of the United States, to be laid before Congress, which, if disapproved of by Congress, shall thenceforth be of no force. The governor or legislative council shall have no power over the primary disposal of the soil, nor to tax the lands of the United States, nor to interfere with the claims to land within the said Territory. The governor shall convene and prorogue the legislative council whenever he may deem it expedient. It shall be his duty to obtain all the information in his power in relation to the customs, habits, and dispositions of the inhabitants of the said Territory and communicate the same from time to time to the President of the United States.

SEC. 5. The judicial power shall be vested in a superior court and in such inferior courts and justices of the peace as the legislature of the Territory may from time to time establish. The judges of the superior court and the justices of the peace shall hold their offices for the term of four years. The superior court shall consist of three judges, any one of whom shall constitute a court; they shall have jurisdiction in all

criminal cases, and exclusive jurisdiction in all those which are capital, and original and appellate jurisdiction in all civil cases of the value of one hundred dollars. Its sessions shall commence on the first Monday of every month and continue till all the business depending before them shall be disposed of. They shall appoint their own clerk. In all criminal prosecutions which are capital the trial shall be by a jury of twelve good and lawful men of the vicinage; and in all cases, criminal and civil, in the superior court the trial shall be by a jury, if either of the parties require it. The inhabitants of the said Territory shall be entitled to the benefits of the writ of habeas corpus; they shall be bailable, unless for capital offenses where the proof shall be evident or the presumption great, and no cruel and unusual punishments shall be inflicted.

SEC. 6. The governor, secretary, judges, district attorney, marshal, and all general officers of the militia shall be appointed by the President of the United States in the recess of the Senate, but shall be nominated at their next meeting for their advice and consent. The governor, secretary, judges, members of the legislative council, justices of the peace, and all other officers, civil and of the militia, before they enter upon the duties of their respective offices, shall take an oath or affirmation to support the Constitution of the United States and for the faithful discharge of the duties of their office—the governor before the President of the United States or before a judge of the Supreme or district court of the United States, or before such other person as the President of the United States shall authorize to administer the same; the secretary, judges, and members of the legislative council before the govornor, and all other officers before such persons as the governor shall direct.

This scheme of government possesses, besides its intrinsic merits, the historical interest attaching to origination with the author of the Declaration of Independence. Jefferson had outlined a first sketch as early as November, 1803, when he also defended both the appointment of judges for four years and the idea of an appointed legislature "as a thing more familiar and pleasing to the French than a legislation of judges," which had been the practice in the Northwest Territory. He seems to have felt no incongruity between the principles of the Declaration of Independence of the thirteen self-governing colonies and this scheme of government for the politically inexperienced inhabitants of Louisiana. Indeed, he complains with some bitterness, in December, 1803, when differences of opinion developed as to the manner of disposing of Louisiana, that "although it is acknowledged that our new fellow-citizens are as yet as incapable of self-government as children, yet some can not bring themselves to suspend its principles for a single moment." Whether the new Territory, organized in the paternal fashion described above, should always remain a part of the Union or eventually become a separate and independent sovereign state Jefferson seemed not to care, nor could either solution abate his zealous and benevolent interest in the inhabitants. "Whether we remain in one confederacy," he wrote in January, 1804, "or form into Atlantic and Pacific confederacies, I believe not very important to the happiness of either part. Those of the western confederacy will be as much our children and descendants as those of the eastern, and I feel myself as much identified with that country in

future time as with this; and did I now foresee a separation at some future day, yet I should feel the duty and the desire to promote the western interests as zealously as the eastern."

These utterances of Jefferson, along with the Jeffersonian scheme for the government of Louisiana, have been cited on account of the applicability of their spirit in its entirety and their substance in great part to the problem of governing the Philippines, which have come into our possession as unexpectedly as Jefferson's envoys, who had a very different object, received Louisiana at the hands of Bonaparte. As Jefferson says, it is our duty to promote the happiness of "our new fellow citizens" as our own, whatever their eventual political relation to us may be; and in planning a frame of government we can not do better than follow Jefferson's lead in adapting it to the condition of the natives, trusting that in the course of development under American training they will eventually reach the goal of complete local self-government, even though at present it may be necessary to some extent "to suspend its principles," on account of their political inexperience, the ignorance of the masses, and the linguistic and social diversities of the tribes and peoples inhabiting the archipelago.

From the very outset, however, it will be safe and desirable, in the opinion of the commission, to extend to the Filipinos larger liberties of self-government than Jefferson approved of for the inhabitants of Louisiana. Assuming that in the Sulu Archipelago and in such portions of Mindanao and Palawan as are still occupied by tribal Indians the government will be conducted through the agency of their sultans, datos, or chiefs, it is to the remainder of the Philippine Islands, more particularly to Luzon and the Visayas and the coasts of Mindanao, that the Territorial form of government is to be adapted. Now, the commission believes that the people of these regions, under suitable property and educational qualifications, should be permitted to elect at least the members of the lower branch of the Territorial legislature. Paterno's scheme of government, as has been already explained, demanded a legislature elected by the people for the making of laws on local subjects. He seems to have had in mind a legislature with a single chamber, which is also the organization of the legislature in the constitution of the so-called Philippine Republic. But the model constitution (Exhibit VI) prepared for the commission by those Filipinos who sought to adjust the claims of the insurgent leaders to the rights of American sovereignty provides for a bicameral legislature, whose branches are designated, respectively, the senate and the chamber of deputies. The latter is to be composed of one hundred and ten members, elected by the people, who are apportioned among the eleven regions into which this constitution redistricts the archipelago as fairly as may be in proportion to their population, the distribution, however,

being subject to modification hereafter when a correct census shall have been taken. The regions or electoral districts (which, it is strange to note, make no exceptions in favor of tribes with sultans, or datos, or other wild tribes) are defined as follows:

First. Manila comprises the province of this name, Corregidor Island, the stronghold of Cavite, and the towns of Bacoor, Binacayan, Cavite Viejo, Caridad, San Roque and Inta, Tatay, Angono, and Antipolo of Morong.

Second. Bulacan comprises the provinces of Bulacan, Pampanga, Tarlac, Nueva Ecija, and Bataan.

Third. Ilocos comprises the provinces of Ilocos Sur, Ilocos Norte, Union, Abra, Lepanto, Bontoc, Benguet, Pangasinan, and Zambales.

Fourth. Cagayan comprises the provinces of Cagayan, Isabela de Luzon, Nueva Viscaya, Islas Batanes and Baduyanes.

Fifth. Cavite comprises this province, except the towns enumerated in the first region, the province of Laguna, Morong, except the towns likewise incorporated in the first region, Infanta, Principe, Polillo, and Tayabas.

Sixth. Batangas comprises the provinces of Batangas and Mindoro, with Marinduque and the other adjacent islands.

Seventh. Albay comprises the provinces of Albay, Camarines, Sorsogon, Cataanduanes, Burias, Masbate, and Ticao, and the towns of the north coast and of the eastern parts of Samar up to Borongan, including the latter.

Eighth. Panay comprises the provinces of Iloilo, Capiz, Antique, Concepcion, Romblon, Tablas, Sibuyan, Calamianes, Cagayancillos, the groups of Cuyos and Guymaras.

Ninth. Negros comprises the island of Negros in its eastern and western parts.

Tenth. Cebu comprises the provinces of Cebu, Leyte, the western coast of Samar, and the towns in the southern continuation of Borongan, Bohol, Siquijor, Baytayan, Mactan, Camotes, and neighboring towns.

Eleventh. Mindanao comprises all the islands of Mindanao, Jolo, Basilan, and Palawan, and neighboring islands.

But this constitution which provides for popular representation in the lower chamber does not make the senate or upper house wholly elective. Of its twenty-two members, the eleven regions or electoral districts are to elect one each, and the other eleven are to be appointed by the American governor-general, and, when appointed, to enjoy a life term. It would harmonize better with American practice to have these appointments made by the President, and there seems no good reason why the term of office should not be the same as that of elective senators, which the constitution fixes at four years. But here the important thing to emphasize is the proposal in a constitution, which

comes from radical Filipinos, that the proper United States authority should appoint half the members of the senate.

This constitution also provides that the secretaries or members of the cabinet of the governor-general may be members of either chamber, and if not members, shall have the right to sit and speak in either chamber. With such safeguards in American hands the qualified veto power which this constitution gives the governor-general (which includes the right to suspend the law for a year even after its passage by a two-thirds vote of the legislature over his veto) would probably be adequate for the purposes of good government, especially since, under the Territorial plan of government, Congress may (and should) retain the right to veto all Territorial legislation. But for that very reason, in addition to other good grounds, the Filipinos should be represented by a delegate in Congress.

It is important to add, as a further illustration of the aversion (which amounts almost to abhorrence) of the Filipinos to military government, that this constitution provides that the American governor-general shall be "a civilian," just as the Negros constitution also declared in its bill of rights that "the military power is subordinate to the civil and can not use its military functions to deprive the citizen of his civil and political rights."

The changes suggested in the Jeffersonian scheme of government for Louisiana, in the light of the ideals formulated by prominent and progressive Filipinos—that is, an elected lower house with an upper house half elected and half nominated—would practically convert the scheme into a Territorial government of the first class. And this, after due consideration of circumstances and conditions in the Philippines, is what the commission earnestly recommends.

The powers of Congress over the Philippines.—The treaty of Paris leaves to Congress the determination of the civil rights and political status of the inhabitants of the archipelago. The extent of the powers which Congress is competent to exercise was indicated at the time of the Louisiana legislation in 1803, when they were exercised to a practically unlimited extent.

The Constitution gives Congress authority to make rules and regulations for the domain beyond the limits of the States. But the restrictions which the Constitution imposes upon Congressional power when operating within the States do not adhere to it when operating outside the States; that is, in the Territories. Congress is not constitutionally bound to establish uniformity of duties, imposts, and excises throughout the Territories as it is throughout the States. No doubt it has always done so, because it was convenient and expedient. But its action, which was based on considerations which do not apply to the Philippines, was not in obedience to a constitutional mandate.

There is one provision of the Constitution which does limit the powers of Congress in dealing with Territories. The thirteenth amendment prohibits slavery not only within "the United States," but also within "any place subject to their jurisdiction." But with this exception the power granted to Congress by the Constitution "to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States" is absolutely unlimited. Nor, apart from one or two exceptions explicable by their connection with political theory, have the decisions of the Supreme Court ever held that Congress in legislating for the Territories is subject to any other restriction.

What Jefferson and the nation did for Louisiana we are, therefore, free to-day to do for the Philippines. The fact that Bonaparte had provided in the treaty that Louisiana should in due time be admitted as a State in the Union, and that in the meantime its inhabitants should have protection in the free enjoyment of their liberty, property, and religion, made no difference in the relation of Louisiana to the Constitution of the United States so long as Louisiana remained a Territory; and, if it had made a difference, it should have constituted something of a claim to the immediate enjoyment of some or all of the benefits of the Constitution. Unmoved by that consideration, however, the Jeffersonian policy established once for all the subjection of national domain outside the States to the absolute and unrestricted power of Congress. The commission recommends that in dealing with the Philippines this vast power be exercised along the lines laid down by Jefferson and Madison in establishing a government for Louisiana, but with those deviations in the direction of larger liberty to the Filipinos which have been already indicated. The result would be substantially the transformation of their second-class Territorial government of Louisiana into a Territorial government of the first-class for the Philippine Islands.

The Philippine civil service.—Under the form of government recommended for the Philippines by the commission nearly all the offices will, of course, be filled by Filipinos themselves. And it is a safe and desirable rule that no American should be appointed to any office in the Philippines for which a reasonably qualified Filipino can, by any possibility, be secured. Of course the merit or business system must be adopted and lived up to; the patronage or spoils system would prove absolutely fatal to good government in this new Oriental territory. It will be necessary to institute in Manila a civil-service board, or commission, analogous to that which exists in many of the States of the Union, whose duty it shall be to ascertain by competitive examinations of a very practical character the relative qualifications of the Filipinos who seek admission to the public service. The primary demand will be for honesty and integrity; then for intelligence, capacity, and tech

nical aptitude or skill to perform the duties of the office to be filled. The competitive examination will secure the selection of the fittest candidate, while it offers equal opportunities to all; and though it will be a novelty to the Filipinos, who have been accustomed only to the patronage or spoils system of appointment, it can not fail to commend to them a republican form of government whose civil service is regulated by justice to all applicants for admission and directed solely to the welfare of the community.

In the Philippine civil service there should be, besides provisions for tests of fitness before appointment, regulations to insure promotion upon merit and a tenure of office during efficiency and good behavior. It would be peculiarly detrimental to the public service in a territory circumstanced like the Philippines if on political ground natives were liable to removal from office as soon as they had learned its duties. However it be in the United States, it is absolutely essential to good government in the Philippines that the natives should hold office during efficiency and good behavior.

A small number of American officials will be necessary for the Philippine service. The highest, according to the form of government recommended by the commission, may be divided into two classes. In the first group belong the governor, secretary, attorney-general, certain judges, and other high officers of the Territorial government. To the second group belong the directing heads of the postal, customs, and other departments of the federal service in the Philippines. It is not meant that in practice these groups should be isolated and kept apart, as they are in the States of the Union. Indeed, there are obvious advantages, including harmony of action and centralization of responsibility, in unifying as completely as possible all the branches and departments of government over which the Americans are to preside in the Philippines.

The members of the first group will be appointed by the President; those of the second, probably transferred from the home service. In neither case will there be examinations. Now, in neither of these groups is there any necessity for limiting the term of office except, of course, in the case of the governor, whose term should be long enough, however, to enable him to accomplish something. Under the scheme of government recommended by the commission, half the senate is to consist of appointed members, and it is assumed that the attorney-general, secretary, and other heads of departments would be appointed senators. It would be extremely unfortunate if, when these officials had come to understand the language of the people and to appreciate their character, as well as to have gathered valuable experience, their places should be taken by novices, for whom the same elementary training would once more be necessary, and with whom, again, it would be balked of its proper fruition. The same considerations

apply to the judges, the chiefs of the customs, post-office, and other departments of the Federal service. Permanency of tenure is, therefore, a first requisite in the highest offices which Americans will be called upon to fill in the Philippines. And to secure the best men—men who are qualified for the arduous task of shaping and guiding public administration in the Philippines—it is essential that high salaries should be paid.

Besides the executive, administrative, and judicial heads, who can not be selected by means of competitive examinations, there will be a small number of offices, intermediate between the heads of departments and the great body of native officials, in all branches of the government for which it will be desirable to have American incumbents. Americans who are candidates for these positions should be subjected before admission to tests of fitness in the United States. They should then be promoted upon merit, and retained during efficiency and good behavior. In some cases it may be desirable on account of their experience and training to transfer men from the existing classified service to the Philippine service, and provision should be made to enable such officials to retain all their rights and privileges as classified employees. By whichever method secured, American officials in the Philippines should be offered salaries large enough to induce the most capable of their class not only to enter and remain in the service, but to give an honest, effective, and economical administration, free from any taint of corruption. The appointment to the service of the best men available, without regard to politics, and their retention so long as they discharge their duties satisfactorily, are, in the opinion of the commission, indispensable principles of administration in the Philippines.

With a view to facilitating the discharge of their official duties as well as to promoting mutual understanding, sympathy, and good feeling between Americans and Filipinos, the commission holds it essential that the American members of the regular Philippine civil service should be required to learn the language of the people (Tagalog, Ilocano, Visayan, Vicol, etc.) among whom they live, and that facility in the use of such vernacular be a condition of all promotion. This requirement should be extended to the town and county commissioners or supervisors if they are not as a class brought under the provisions of the civil-service regulations. The more an American official has to do with natives the greater the need and the more imperative the duty of learning their language. By no other means can the two peoples be so speedily brought to understand and appreciate one another. Of course this recommendation is not inconsistent with another recommendation made by the commission—i. e., that English should be taught in the schools of the archipelago to the utmost extent feasible.

On the number of Americans needed for the government of the Philippines.—The business or merit system of civil service is economical of officials, for it aims only at the public good. The patronage system, on the other hand, creating offices for favorites irrespective of the needs of the country, implies an exorbitant number of officials. Good government being the result of the former system, the people are contented and only a small military force is necessary. The patronage system, on the other hand, necessarily involving incapacity and extravagance and issuing in misgovernment and corruption, alienates and embitters the governed and necessitates, in consequence, large armies to keep them in subjection.

As has been shown elsewhere Spain, prior to the last insurrection, spent annually more than $4,000,000 on the Philippine army, and more than $800,000 on the civil guard, the latter being composed of 3,482 individuals, and the former of 13,291, of whom, however, only 2,210 were Europeans. Burma, with about the same population, has a military force of about 15,000 men, of whom one-third are British and two-thirds Asiatic (almost entirely Indians); and the annual cost of this establishment is about 10,000,000 rupees. In addition, the civil police force of Burma consists of 13,000 men, at at annual cost of 3,563,697 rupees, and the military police force of nearly 16,000 men, at a cost of 4,045,552 rupees—all Asiatics, except a small number of British officers. The figures are extraordinarily high; first, because Burma is a comparatively new acquisition; secondly, the population is scattered; and thirdly, Upper Burma on three sides is surrounded by extensive mountain tracts occupied by wild and savage tribes. In an old colony like Ceylon, with 3,500,000 inhabitants, the military force numbers only 1,700 officers and men (mostly British, however), with a volunteer corps of 1,200 (mostly Asiatics), both together costing annually less than 2,000,000 rupees, while the police force consists of about 1,600 officers and men (of whom only 42 are Europeans), at an annual cost of less than 500,000 rupees. The experience of Ceylon indicates what, with good government, may be anticipated in the Philippines in the course of a decade or two.

As to the number of Americans who may be needed for the Philippine civil service, the experience of the British will once more afford the safest indications. Take British India and the feudatory native states, with an area of 1,500,000 square miles and a population of 300,000,000, of which British India alone has an area of nearly 1,000,000 square miles and a population of over 230,000,000. "The whole of the higher executive and judicial work in this immense area and over this enormous population," says an eminent authority, Mr. Montague Kirkwood, "is performed by 1,000 British officials with the aid of natives, on an average of one such European official to every 1,000 square miles of country and to every 230,000 inhabitants." A

similar work in Ceylon, with 25,000 square miles and 3,500,000 population, is discharged by 71 British officials. For the salaries of these officials and for the further facts and figures regarding the civil administration of the principal British dependencies in the Orient reference may be made to the very clear, concise, and instructive memorandum furnished to the commission by Mr. Kirkwood, which is submitted herewith as Exhibit VIII. The conclusion is irresistible that only a small number of Americans are needed as the organizing and directing brain of the civil administration of the Philippines; but these should be men of the very highest qualifications, and to secure them, and at the same time good government, it is indispensable that they shall be offered high compensation and appointments during good behavior and efficiency. On them, and practically on them alone, will devolve the fulfillment of our high obligations in the Philippines.

Financial relations of the United States to the Philippine Islands.—It has been the practice hitherto to assimilate the customs duties of new territories to those of the United States. But, as already shown, this practice rests only on convenience and expediency; it is not a requirement of the Constitution, which calls only for uniformity of duties, imposts, and excises throughout the States. The commission has, however, carefully considered the feasibility of assimilating the tariff of the Philippines to that of the United States. The differences, however, appear to be fundamental and irreconcilable; the tariffs are as far apart as the corresponding economic, industrial, and social conditions of the two countries. The following table shows the chief articles imported into the Philippines (comprising, indeed, two-thirds per cent of the total imports) along with the duties levied on them in the Philippines, and also in the United States (the equivalent of Philippine weights and measures being also given for purposes of comparison):

Comparative duties on chief import articles, comprising two-thirds per cent of total imports.

[p. = peso; kg. = kilogram.]

	Per cent of imports.	Philippine duty.	Equivalent.	United States duty.
Rice	11.9	$\frac{3}{4}$ p. 100 kg	17 cents cwt	$2 cwt.
Still wines	2.6	$\frac{12}{100}$ p. liter	28 cents gal	40 cents gal. (lowest).
Spirits	1.6	$\frac{30}{100}$ p. liter	21 cents gal	$2.25 gal. (proof).
Cotton yarn	4.1	$\frac{25}{100}$ p. kg. +20 per cent.	5$\frac{1}{8}$ cents per lb. +20 per cent.	3 cents lb. up.
Cloth, close	26.7	$\frac{40}{100}$ p. kg. +20 per cent.	9 cents per lb. +20 per cent.	1$\frac{1}{2}$ cents per sq. yd.
Cloth, loose	4	$\frac{25}{100}$ p. kg. +20 per cent.	4$\frac{1}{8}$ cents per lb. +20 per cent.	1$\frac{1}{4}$ cents per sq. yd.
Nails and wire	2	4 p. per 100 kg	90 cents cwt	50 cents cwt. up.
Steel rails, etc	2.5	1.60 p. 100 kg	36 cents cwt	40 cents cwt.
Petroleum	3	4.50 p. 100 kg	$1 cwt	Reciprocal.
Drugs and chemicals	3	Various	(?)	Various.
Paper	2.5	do	(?)	Do.
Silk	2.5	do	(?)	Do.

The very first article on the list seems to show the divergency in the customs duties of the two countries and also the impracticability

of their assimilation; for rice being in the Philippines the food of the people, there would be riots if importations were taxed $2 per hundredweight instead of 17 cents. Other examples reenforce with equal strength the conclusion that the tariffs can not be assimilated. The commission is fully aware of the advantage which would accrue to American manufacturers under a uniform tariff, though they estimate that even in that case more than one-third of Philippine imports, including rice, 12 per cent of the whole, cotton 5 per cent (the waste of Bombay mills), silk 2.5 per cent, and earthenware 2 per cent, would still be imported into the archipelago from countries other than the United States. But this is a case where facts and not theories or desires must control. And so long as the existing chasm remains between the economic and social conditions of the Philippines and those of the United States, so long will it remain impracticable to identify their tariffs. These conditions are not more fatal to uniformity of protective tariffs than to uniformity of revenue tariffs; for they make it equally impossible to devise a uniform dutiable list of revenue-producing commodities. Accordingly the commission recommends that at the present time no attempt be made to assimilate the customs duties of the Philippines to those of the United States. A similar recommendation, and for similar reasons, is also made in regard to the internal-revenue taxes of the two countries.

As under the treaty of Paris Spain is to enjoy equal advantages with the United States in the markets of the Philippine Islands for ten years following upon the ratification of that instrument, the question of the assimilation of the Philippine and American tariffs has not the immediate practical interest which it would otherwise command.

The commission is not disposed to consider at any length the fiscal system of the Philippines. For the years 1896–97 the revenues amounted to $17,474,000, of which $8,496,000 was derived from direct taxation, $6,200,000 from customs, $1,222,000 from monopolies, $1,000,000 from lotteries, $257,000 from rents, and $298,000 from miscellaneous sources. The receipts from import duties aggregate about 35 per cent of the whole. In order to stimulate trade with other countries, which is a desideratum in the Philippines, the customs should, if changed, be reduced rather than augmented. In a country of such undeveloped economic resources internal-revenue taxes should undoubtedly be the chief reliance of the Government, and it is interesting to note that nearly half the total revenue has been raised by direct taxation. For the imposition of excise duties articles of general consumption like alcoholic drinks, opium, and rice should be selected. As the Philippines enjoy unique advantages in the production of hemp and special advantages in the production of tobacco, and possibly sugar, these commodities or some of them would stand a license tax or perhaps a low export duty with great advantage to the

public treasury. As regards the provincial and municipal revenues, recourse should be had to taxes on real estate, business licenses, and other specific taxes.

There are two fundamental principles on which a successful administration of the finances of dependent territories must rest. First, their finances must be managed, not for the advantage of the sovereign power, but for the benefit of the people and the development of the country whose destinies have been committed to its supreme control. Up to the eighteenth century all the great colonizing powers thought of their colonies as estates to be farmed for the benefit of their European proprietors. This theory cost England her first colonial empire in America, and then she abandoned it. Spain retained it and her colonial empire has dropped from her grasp. There is no instance in history of the successful government of a colony where profit to the parent state or its citizens has been a leading consideration.

The second vital principle of the financial administration of dependent territories is that they should be made self-supporting; and to accomplish that object should be the principal aim of the United States in the financial administration of the Philippines—and to accomplish it while developing the resources of the country and making public improvements. The detailed examination of Philippine revenues given in an earlier chapter shows clearly that the archipelago will be easily capable of maintaining itself. It has also a large public domain which will be of great value when the building of railroads and the making of highways render it accessible.

From all that has been said, and especially in view of the separate system of customs duties and internal-revenue taxes, it is obvious that the finances of the Philippines must be kept separate from those of the United States. All duties and taxes collected in the Philippines must be deposited in the Philippine treasury, and that treasury must bear the cost of the entire administration of the archipelago.

The commissions recommend that the Treasury Department send experts to the Philippine Islands to study on the spot the question of the tariff and to make such recommendations thereupon as they may deem expedient. There are practical difficulties in administering the Spanish tariff now in force, owing partly to the fact that duties are payable in silver and partly to complications inherent in the tariff itself.

Time when this scheme of government should go into operation—The commission recommend that in all parts of Luzon and the Visayan Islands where American occupation is effective this scheme of civil government be put in operation where practicable, as soon as possible, though with the retention in every case of such military forces as may be deemed necessary for the protection of the civil communities

thus organized. And as American authority is extended over the remaining districts, islands, and peoples of the archipelago, there should be a corresponding extension of civil government until all the civilized peoples of Luzon, the Visayan Islands, and the coast of Mindanao enjoy the benefits of the territorial administration. There is no need to wait for the suppression of the insurrection in all the islands before giving civil government and local home rule to such as are at peace and are fit for it. Considering the varieties of the peoples and the friendliness of most of them to the United States, it would be both unjust and impolitic to treat them all alike as unworthy of civil government; and looking to the pacification of those still hostile, the commission believes that no instrumentality would be so effective to that end as the establishment of civil government in the communities which are already friendly.

The commission assumes that this gradual organization of the territorial government it recommends for the Philippine Islands might rest either on Congressional legislation or on the powers of the President, as commander in chief of the forces of the United States, who as such is free to use as his chief administrative agent or governor either a military officer or a civil official, and direct him to set up this form of government.

However accomplished, the separation of the civil government from the military command wherever practicable throughout all parts of Luzon and the Visayan Islands as soon as they come under the American flag is, in the opinion of the commission, a most urgent desideratum and would have most beneficial results throughout the entire archipelago.

Encouraging prospects for the government of the Philippines.—The commission, while not underrating the difficulty of governing the Philippines, is disposed to believe the task easier than is generally supposed. For this confidence it has the following among other grounds: First. The study by educated Filipinos of the various examples of constitutional government has resulted in their selection, as best adapted to the conditions and character of the various peoples inhabiting the archipelago, of almost precisely the political institutions and arrangements which have been worked out in practice by the American people; and these are also, though less definitely apprehended, the political ideas of the masses of the Philippine people themselves. This point has been frequently illustrated in the course of the preceding exposition, and it must here suffice to say that the commission was constantly surprised by the harmony subsisting between the rights, privileges, and institutions enjoyed by Americans and the reforms desired by the best Filipinos. Secondly. In addition to the adaptation of the American form of government to the Filipinos, the Filipinos them-

selves are of unusually promising material. They possess admirable domestic and personal virtues; and though they are uncontrollable when such elemental passions as jealousy, revenge, or resentment are once aroused, most of them—practically all of the civilized inhabitants of Luzon and the Visayas—are naturally and normally peaceful, docile, and deferential to constituted authority. On the suppression of the insurrection the great majority of them will be found to be good law-abiding citizens. Thirdly. Though the majority of the inhabitants are uneducated, they evince a strong desire to be instructed, and the example of Japan is with them a cherished ideal of the value of modern education. A system of free schools for the people—another American institution, it will be noted—has been an important element in every Philippine programme of reforms. Fourthly. The educated Filipinos, though constituting a minority, are far more numerous than is generally supposed and are scattered all over the archipelago; and the commission desires to bear the strongest testimony to the high range of their intelligence, and not only to their intellectual training, but also to their social refinement, as well as to the grace and charm of their personal character. These educated Filipinos, in a word, are the equals of the men one meets in similar vocations—law, medicine, business, etc.—in Europe or America. It is scarcely an exaggeration to say that these picked Filipinos will be of infinite value to the United States in the work of establishing and maintaining civil government throughout the archipelago. As leaders of the people they must be the chief agents in securing their people's loyal obedience to the new government, to which, therefore, the dictates of policy, as well as plain common sense and justice, require us to secure their own cordial attachment. And it has been a leading motive with the commission in devising a form of government for the Philippines to frame one which, to the utmost extent possible, shall satisfy the views and aspirations of educated Filipinos. They believe that the Territorial system herein set forth will accomplish that object, and this is a fifth and most important reason for their conviction that the administration of the government will, in the proper hands, not be attended with insuperable or even extraordinary difficulties.

This scheme of government for the Philippines the commission now respectfully commends to the President, the Congress, and the American people, in the firm confidence of its adaption to the Filipinos and its potency to satisfy them, even to the extent of reconciling the misguided and estranged to their American liberators, who seek only to establish among them—or rather to assist them in establishng for themselves—the reign of peace and order, justice and liberty, education, prosperity, and all the good things of the highest civilization.

SOME CONCLUSIONS CONCERNING GOVERNMENT.

In connection with the subject of government the Commission has reached the following conclusions:

1. The United States can not withdraw from the Philippines. We are there and duty binds us to remain. There is no escape from our responsibility to the Filipinos and to mankind for the government of the archipelago and the amelioration of the condition of its inhabitants.

2. The Filipinos are wholly unprepared for independence, and if independence were given to them they could not maintain it.

3. As to Aguinaldo's claim that he was promised independence or that an alliance was made with him, Admiral Dewey makes the following communication to the Commission:

> The statement of Emilio Aguinaldo, under date of September 23, published in the Springfield Republican, so far as it relates to reported conversations with me, or actions of mine, is a tissue of falsehoods. I never, directly or indirectly, promised the Filipinos independence. I never received Aguinaldo with military honors, or recognized or saluted the so-called Filipino flag. I never considered him as an ally, although I did make use of him and the natives to assist me in my operations against the Spaniards.

4. There being no Philippine nation, but only a collection of different peoples, there is no general public opinion in the archipelago; but the men of property and education, who alone interest themselves in public affairs, in general recognize as indispensable American authority, guidance, and protection.

5. Congress should, at the earliest practicable time, provide for the Philippines the form of government herein recommended or another equally liberal and beneficent.

6. Pending any action on the part of Congress, the Commission recommends that the President put in operation this scheme of civil government in such parts of the archipelago as are at peace.

7. So far as the finances of the Philippines permit, public education should be promptly established, and when established made free to all.

8. The greatest care should be taken in the selection of officials for administration. They should be men of the highest character and fitness, and partisan politics should be entirely separated from the government of the Philippines.

PART V.—THE JUDICIAL SYSTEM.

Under Spanish rule the administration of justice in the Islands was intrusted to a territorial supreme court (audiencia), which in civil affairs had jurisdiction over the whole Archipelago, and was located in Manila, and to two superior courts (audiencias) for criminal cases, which were located in Vigan and Cebu. In all the provinces and districts there were justices' courts of the first instance. These were divided into three classes, viz, entrado, ascenso, and termino (literally, entry, continuance, and termination); and in civil and governmental matters they were subordinate to the superior court at Manila, in criminal matters to the same, or to one of the two superior courts to which they might be assigned.

In every town of the archipelago there was a justice's court of the peace.

Each court had attached to it an attorney-general or an assistant attorney-general.

A register of property with a recorder was also established in each province. Furthermore, there was the necessary number of notaries, solicitors, and counselors of law attached to the different superior courts.

The superior court of Manila was composed of one president, two presidents of chambers, nine magistrates, one attorney-general (who acted for the whole archipelago), one assistant attorney-general, three counselors of the treasury, one governmental secretary, one official first counselor of said secretary's office, three secretaries of chambers, four solicitors, three officials of chambers, one chief doorkeeper of the court, and the necessary number of attendants.

The department of justice was further represented by a legal secretary and an attaché.

The court was divided into several chambers; one for equity business, one for civil suits, and a criminal chamber for trial and sentence in criminal cases.

All the justices' courts of the Archipelago were subordinate to the superior court of Manila in civil matters, and in criminal cases the courts of a great part of the islands were subordinate to the superior court. There was also annexed to the superior court of Manila a local tribunal for trying local suits.

In the year 1888 there was created a superior criminal court at Cebu. It was composed of one president, two vice-presidents, one attorney-general of the treasury, one assistant attorney-general of the treasury,

one secretary, two solicitors, with necessary attendants. It had jurisdiction in criminal matters only, and subordinate to it were the justices' courts of a number of the islands.

There was also a superior criminal court at Vigan which had the same personnel and organization as that of Cebu. Subordinate to it were the justices' courts of the adjacent islands.

The justices' courts of the first instance were distributed all over the islands. There were also recorders of property in the various islands.

There now exists a supreme court and inferior courts established by military authority in the city of Manila. In general the order issued by the military governor, chapter 3, article 2, of the organic royal decree of January 5, 1891, prescribing the qualifications of appointees to colonial judicial office was, in its application to judicial appointments in the Philippine Islands, suspended. The supreme court of the Philippine Islands, theretofore administered in the city of Manila, the exercise of whose jurisdiction had been suspended as to criminal affairs since August 13, 1898, and as to civic affairs since January 30, 1899, was reestablished. The new court was given the jurisdiction which it possessed prior to August 13, 1898, and was empowered to administer the laws recognized as continuing in force by the proclamation issued from the military headquarters, dated August 14, 1898, except in so far as they had been or might hereafter be modified by authority of the United States.

The most distinguished lawyer in the Islands, Don Cayetano Arellano, was appointed President of the Supreme Court.

Other members of the bench were drawn, not only from Luzon, but also from the Visayan Islands. They are all men of high professional reputation and spotless character.

In the civil branch of the court Don Manuel Araullo is the president.

The associate justices were Don Gregorio Araneta and Lieut. Col. E. H. Crowder, judge-advocate, United States Volunteers.

In the criminal branch Don Raymondo Melliza was appointed president.

The associate justices were Don Ambrosio Riarezares; Don Julio Levrente; Maj. R. W. Young, Utah Volunteer Light Artillery; and Col. W. E. Birkhimer, U. S. V.

The Attorney-General was Don Florentino Torres.

The American officers above named were peculiarly qualified by their attainments and qualifications for the positions assigned them. It is regrettable that after a short time of service Major Young and Colonel Birkhimer withdrew, having been assigned to other duties.

These officials and all others to be named hereafter were required to take and subscribe an oath of office by which they recognized and accepted the supreme authority of the United States of America, and

solemnly swore that they would maintain good faith and fidelity to that Government, and would obey the existing laws which rule the Philippine Islands, as well as the legal orders and decrees of the duly constituted government therein; and that they imposed on themselves this voluntary obligation without any mental reservation or purpose of evasion, and would faithfully discharge their duties. This order was issued May 29, 1899, and the court was organized shortly thereafter. June 5, 1899, there issued from the military headquarters an order establishing courts of first instance of the province of Manila and courts of justice of the peace. These courts were empowered to exercise the jurisdiction possessed by them prior to August 13, 1898, in so far as the same was compatible with the supremacy of the United States and the exercise of military government in the Philippines, and were empowered to administer the laws recognized as continuing in force by the proclamation of August 14, 1898, except in so far as these laws had been modified, or hereafter might be modified, by authority of the United States.

Under this order judges and district attorneys were appointed for the following districts: Binondo, Tondo, Quiapo, and Intramuros.

Justices of the peace were appointed for the same districts.

Secretaries were appointed for the Supreme Court.

Manila was divided into two districts for the purpose of registering titles to property, as such districts existed prior to August 13, 1898, and two registrars were appointed. Other orders from time to time followed, under which notaries were appointed, rules for the admission of attorneys adopted, and methods of procedure provided.

It was ordered that the jurisdiction of the courts should not extend to and include crimes and offenses committed which were prejudicial to military administration and discipline. Such jurisdiction appertained to the provost courts, courts-martial, or military commissions, except in special cases, as ordered by the military government.

At Manila general commendation was awarded to these courts. There can be no doubt but that these courts will furnish the beginning of a system of judicature which will secure to the people, which is most earnestly to be desired, a pure, honest, and able administration of the law.

These courts have in general followed the system which existed under Spanish rule. They have adopted and put in force the Spanish codes. This was an absolute necessity, because there was no American code of law applicable to Manila.

Either the law embodied in the Spanish codes had to be administered or the military authorities would have been compelled to devise a new system. This was plainly impracticable. The lawyers and judges in the Philippines were familiar with no law except that contained in the Spanish codes. Able as many of them are, they would not have been capable of administering American laws, even if they

had been supplied with the code of any one of our States. It is apparent that the United States statutes would not have served the purpose. Federal jurisdiction, being limited to a few matters, both criminal and civil, would not have supplied the existing needs. Nor would any State code have suited the condition of the people. It must be said that in many respects the Spanish codes are excellent and that they are adapted to the customs and conditions of the people. Experience will no doubt suggest modifications, especially in criminal matters. Criminal procedure under the Spanish code is arbitrary and not in accordance with rules prevailing either in Federal or State systems. In due time it should be modified. There should be trial by jury and many other changes. It is too early, however, even to outline a civil or criminal code for the Philippines. The people are accustomed to the existing laws. These laws should be honestly and purely administered, which is the main requisite for the successful government of the Islands.

This discussion does not involve questions which are new in our jurisprudence. Our fathers had no great trouble in adopting the laws which prevailed in Louisiana before its acquisition by the United States to the changed and new governmental conditions which prevailed after the cession.

Other precedents may be found in our own and other countries. When a civil government has been established in the Philippines all questions touching the law can be taken up and settled.

The witnesses before the commission testified that the Spanish codes suited the conditions of the people, but that the forms of procedure should be changed and improved.

The judicial system now existing will no doubt be extended to the other islands as fast as they are occupied by American troops.

It is the opinion of the Commission that it would be desirable to establish for the Islands at least one United States court. This court should have jurisdiction over the whole archipelago. It should hold two sessions each year in the city of Manila, island of Luzon; in the city of Iloilo, island of Panay, and in the city of Cebu, island of Cebu. The regular sessions of this court at Manila should be held on the first Monday of May and November, at Iloilo on the first Monday of April and October, and at Cebu on the first Monday of June and December. Such sessions should last as long as the business might require. It should be competent for the judge to hold a special session of his court at any point in the Archipelago at any time that the public interest might require such session to be held. An appeal might lie from this court to the United States Circuit Court of California. The practice and procedure of said court should conform to the practice and procedure of the said courts of the State of California aforesaid, as consistent with the practice and procedure of the district and circuit courts of the

United States and the laws of the United States. Said court should have original jurisdiction of the following cases, to wit:

1. Of suits of a civil nature in which there should be a controversy wherein one or more of the parties is a foreign subject, or where one or more of the parties is a citizen of a State or Territory in the United States, or is not domiciled in the Philippine Islands.

2. In all criminal actions of the grade of felony, and in misdemeanors where the offense is punishable by a fine of more than $100 or imprisonment exceeding three months, and the defendant is a foreign subject, or a citizen of any State or Territory of the United States, or is not domiciled in the Philippine Islands.

3. Said court should have exclusive jurisdiction of all the matters of which the district and circuit courts of the United States have exclusive jurisdiction under the Constitution and laws of the United States.

4. The removal of causes from the legal courts of the Philippine Islands to said United States courts should be mandatory whenever removal is demanded by a party to a suit or action who is entitled thereto, as is hereinbefore set out.

There can not be extraterritorial jurisdiction in the Philippines, because the Islands belong to the United States. For that reason we found a general demand among foreigners who live and do business in the Philippines for the establishment of a tribunal which should be removed from local prejudice and should administer the law of the United States.

It is apparent that at no distant day it will be necessary to establish more than one Federal court. Indeed, at this time it would not be unwise to establish three districts for judicial purposes. Should it be determined to create three courts instead of one, the three districts should be geographically as follows:

The first district should embrace and include Luzon, Marinduque, Burios, Catanduanes, Polillo, the Batanes Islands, the Babuyanes Islands, Mindoro, and the islets immediately adjacent thereto.

The second district should embrace and include Panay, Guyamares, Negros, Sibuyan, Romblon, Tablas, Calamianes Islands, the Cuyos Islands, the Cagayanes Islands, Palawan, Balabac, and the islets immediately adjacent thereto.

The third district should embrace and include the following territory: Cebu, Bohol, Siguijor, Masbate, Ticao, Samar, Leyte, Mindanoa, Basilan, Sulu, Tawi Tawi, and the islets immediately adjacent thereto.

Should three judges be appointed, then it would be wise that they should constitute an appellate court, to hold its sessions at Manila at such time as may be determined by the judges, or the majority thereof, to which appeals should lie from the courts above mentioned. In that event it would not be necessary to allow any appeal to the United States circuit court of California.

PART VI.—THE CONDITION AND NEEDS OF THE UNITED STATES IN THE PHILIPPINES FROM A NAVAL AND MARITIME STANDPOINT.

I. NAVAL.

A careful study of the physical and political conditions existing in the Philippines shows that the work devolving upon the Navy in those waters is great and unceasing. The archipelago comprises some 1,725 islands, of which comparatively few are of any considerable size. They are mostly mountainous and are almost entirely lacking in practicable roads. There are a few trails through the mountains and through the jungles of the lowlands, but their value is practically nil, especially in the rainy season, when they become almost impassable. The only railroad in the Philippines is the line from Manila to Dagupan, a distance of about 120 miles. The larger islands have extremely indented coast lines, and there are numerous rivers and streams that are navigable for light-draft vessels and small boats.

Because of the above facts, communication for trade is almost entirely by water, not only between different islands of the group, but between different parts of the same island. The task of controlling and protecting this communication is necessarily on the Navy.

The inhabitants of the islands are divided into numerous tribes, greatly differing in language and customs, and in many cases with tribal feuds of long existence. The natives of the southern islands especially have been addicted to piracy for hundreds of years, and have not only made raids and incursions on neighboring tribes, but have even gone to the point of attacking foreign vessels. These conditions have required under the former rule the presence of a large number of naval vessels, and undoubtedly under the existing circumstances many gunboats will be necessary to protect life and property. During the continuance of the present insurrection it is of greatest importance that the coasts be so guarded as to prevent the smuggling of arms and munitions of war, as well as the transportation of troops. An efficient naval patrol will effect this end.

As our interests in the East and in questions affecting it have increased greatly since our possession of the Philippines, we should maintain a permanent fighting force of ships on the Asiatic station, including battle

ships and armored cruisers. The distance and the time that would be required for reenforcements to arrive in case of attack by a foreign power show clearly the necessity for keeping a strong enough force on the spot to make such an attack improbable. The great increase and opportunites for greater increase in our commerce with the far east render it advisable that we should have a large enough force to show the flag at the trading ports more often than has been possible during the last two years.

The necessity for a moderately large fleet being clearly shown, it is necessary to establish naval and coaling stations for its repair and supply. This question is of great importance and requires careful study. It is believed that the number, size, and location of the stations needed could best be determined by a naval commission, which should study the subject upon the ground, weighing the advantages of each port, such as size, protection and depth of harbor, adaptability for defense, facilities for procuring labor and supplies, etc. Still, there are several considerations that may be set forth here.

It is of prime importance to have a naval station of the first class in or near Manila Bay, which is the natural headquarters of our fleet in Philippine waters. It will probably be found advisable to retain the small station at Cavite, 7 miles from Manila, which was established by the Spaniards, and used by our fleet since May, 1898, for light repairs, hauling out gunboats and ship's boats, and coaling. But the shoalness of the water and lack of shelter at Cavite precludes its being made a station where large ships could be docked and repaired, nor does the bay show any other point well adapted for the purpose.

The selection by the Spaniards of Subig Bay as the place for their principal naval station seems a wise one. It is perhaps the best harbor in the Philippines, is only 60 miles from Manila, is admirably situated strategically, capable of easy defense, perfectly land-locked, and with ample but not too deep water. The site selected is at Olongapo, on a peninsula on the east side of the bay, some distance from the entrance and out of practicable range of ships' guns. The station had been fairly well begun by the Spaniards by the erection of a number of large and substantial buildings, a defensive wall across the peninsula, retaining walls, etc. They had also contracted for and were building in England a large floating dock. The necessity for docks capable of taking the largest vessels is great, not only on the score of policy, but on that of economy. It is now necessary to send all vessels of over 1,200 tons displacement to Hongkong for docking, and the expense to the Government is very large. The question as to whether graving docks or floating docks are preferable is one to be determined by the commission, but there is little doubt that a suitable site for large graving docks can be found in Subig Bay. It may be well to recall the fact that when it became necessary to dock the Brit-

ish battle ship *Victorious* the only dock large enough to take her was that at the Japanese naval station at Yokosuka, and then only after removing guns and other permanent fittings, at the cost of much time, expense, and anxiety.

It is believed that several secondary stations for coaling and small repairs will be found necessary, especially in the southern islands, in order that the vessels patrolling those waters need not leave their stations too long and too frequently. The Spaniards had stations of this sort at Balabac and Port Isabela, and it would seem advisable to reestablish these as well as one in the Visayas and another near San Bernardino Strait.

II. MARITIME.

It has been shown above that nearly all of trade communication in the islands is necessarily by water and that a considerable force of expensive war vessels must be maintained in the Philippines. Even now there are many steamers and sailing vessels navigating in the archipelago, and their number will be greatly augmented with the increase in trade due to the development of the islands. These facts demand immediate consideration of the means to be taken to protect the shipping from danger of wreck. The recent total loss of the cruiser *Charleston* on an uncharted reef and the grounding of many other vessels on similar obstructions indicate the untrustworthiness of the existing surveys, and it is of prime importance that new surveys be made of the whole archipelago. It is believed that the naval force can carry on this work as soon as peace is established without materially lessening its value in maintaining order.

A glance at the chart of the Philippines will show that the coasts are very badly lighted and that other aids to navigation are few. Prior to the war there were only fifty-five lights in the whole archipelago, and only five of these were of the first order. This number was entirely inadequate to the lighting of the great extent of coast, and now the lights are still fewer, many of them never having been relighted since they were extinguished at the breaking out of hostilities in April, 1898. A commission should be appointed to decide on all subjects connected with aids to navigation, and the work of establishing lights and buoying channels should begin as soon as possible. Labor and material are cheap, and the first cost of construction and the after maintenance of the lights would be much less than in the United States.

PART VII.—THE SECULAR CLERGY AND RELIGIOUS ORDERS.

In discussing questions that relate to religious matters in the Philippine Islands, it must be understood that we do so for the simple purpose of conveying information as to the existing conditions in those islands.

Under our system of government the state would confine itself to securing religious liberty, and would by no means make any distinction between religious sects. All sects would be treated alike and no special privileges would be granted to any.

It is a matter of history that great antagonism has existed in the islands against the class of people called by the Filipinos "friars." This hostility was beyond doubt one of the causes of the rebellion of 1896. Then for the first time in the history of the islands several priests in different parts of Luzon were murdered by the populace; many of them were arrested and held as prisoners by the Filipinos.

General Otis, in the month of November, 1898, made an urgent effort to secure the release of the priests who had been taken prisoners, and a long correspondence took place between him and Aguinaldo on this subject. Aguinaldo refused to release the priests, assigning various reasons for his conduct. He charged that the religious corporations of the Philippines had acquired large agricultural colonies by means of fraud; the products of these lands, he stated, were first granted, but in the course of time possession was taken of the lands, and they have ever since been held by the religious corporations, which were aided by the Spanish authorities; he stated that the privilege of absolving belongs solely to the secular clergy, to which the Filipino priests belong, and that this privilege has been absorbed by the religious orders; he stated that the primary causes of the Philippine revolution were the ecclesiastical corporations, which, taking advantage of the corrupt Spanish Government, robbed the country, preventing progress and liberty; he claimed for the Filipino priests the right to appointment to the duties of bishops and parochial priests; he denounced as dangerous to the interests of the Philippines the allowance to the regular Spanish clergy to continue their rule in the islands, believing that they would incite a counter revolution in the interests of Spain. The Commission does not pronounce upon the truth of these allegations.

One of the clauses in the Malolos constitution provides for the confiscation of the property of the friars. When the Commission left the Philippines there was in circulation a petition, which was being largely signed by the people, praying the President to expel the friars. Many charges were popularly made against them, involving political oppression of the people, extortion, and immorality. The Commission did not think that an investigation of these charges came within the purview of its duties. The Filipinos do not antagonize the church itself; they are faithful and loyal to it; their hostility is aimed at the religious orders; they demand that the parishes should be filled by priests who are not friars; they claim that this is a law of the church and should be the practice in the Philippines. Clearly this is something with which the state has nothing to do. It may be said that these and all other questions of ecclesiastical polity should be left to the church authorities.

The question of a confiscation of the property of the religious orders has been and is much discussed in the islands. Apart from the general principles of law governing this subject, the treaty of Paris should be particularly considered. The second paragraph of Article VIII of the treaty of peace, negotiated the 10th day of December, 1898, at Paris, reads as follows:

> And it is hereby declared that the relinquishment, or cession, as the case may be, to which the preceding paragraph refers, can not in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

This clause would not prevent the state from purchasing at fair rates property so held and selling it to the natives in small holdings and at reasonable rates. Considering the strong feeling of the natives concerning the lands held by the friars, the Commission believes this policy would have good results; and as this question is one of the most vital and important in the Philippines, the Commission recommends an early consideration of this solution by the government hereafter to be established in the Archipelago.

Questions as to title or ownership of any particular property must be left to the determination of courts of justice.

It is popularly believed that there are extensive tracts of land which are held by the owners in the name of trustees.

As the church and monastic orders have been closely connected with the state it is perhaps well to describe their prominent characteristics in the islands.

The Archipelago was divided into five dioceses. One metropolitan, that of Manila, and four suffragan, those of Nueva Segovia (Vigan),

Nueva Caceres, Cebu, and Jaro. These all exercised high functions in accordance with constitutions adopted by the prelates who founded them, and approved by the Holy See, under subjection to the prerogatives exercised by the King of Spain, in virtue of different bulls by the Roman Pontiffs. In the Archipelago these functions were exercised by the Governor-General in his quality of Vice-President and Vice-Royal Patron. His powers were very great.

The spiritual administration of the parishes and missions was confided to the regular and secular clergy. This clergy was constituted of members of the different religious communities established in the Archipelago, and also of the priests ordained in the seminaries dependent upon each diocese.

THE ARCHBIBHOPRIC OF MANILA.

This Archbishopric was established in 1595, in which, by decree of His Holiness, Clemente VIII, the Episcopal See, founded in 1578 by Gregorio XIII, was elevated to be a metropolitan seat.

This archbishopric comprehends the provinces and districts of Manila, Bulacan, Batangas, Cavite, La Infanta, La Laguna, Mindoro, Morong, Nueva Ecija, Pampanga, Principe, Tarlac, and Zambales.

THE DIOCESE OF NUEVA SEGOVIA.

The diocese of Nueva Segovia was erected on the 14th of August, 1599, by a decree of Clemente VIII. In the beginning this seat was established in Lallo (Cayagan), but in 1758, owing to the difficulty of communication, the diocese was transferred to Vigan. This diocese comprehends the provinces and districts of Pangasinan, Tarlac, Cagayan, Isabela de Luzon, Nueva Vizcaya, Ilocos Norte, Ilocos Sur, Union, Abra, Lepanto, Benguet, Bontoc, Tiagan, Amburayan, Cabugasan, Cayapa, Quiangan, Itaves, Apayaos, and the Batanes Islands.

DIOCESE OF CEBU.

The diocese of Cebu was erected at the same time as the preceding bishopric by a decree of His Holiness, Clemente VIII. This bishopric comprehends the provinces and districts of Cebu, Bohol, Leyte, Samar, Misamis, Surigao, and the Marianas Islands.

DIOCESE OF NUEVA CACERES.

This diocese was also established in 1595 by the above-cited decree of His Holiness, Clemente VIII. It comprehends the provinces and districts of Ambos Camarines, Albay, Tayabas, Masbate, Ticao, and Burias.

DIOCESE OF JARO

The diocese of Jaro was established in 1865 by a bull of His Holiness, Pius IX. This diocese comprehends the provinces and districts of Iloilo, Concepcion, Capiz, Antique, island of Negros, Calamianes, Romblon, Paragua, Balabac, Zamboanga, Isabela de Basilan, Cottabato, Davao, and Jolo.

RELIGIOUS CORPORATIONS.

There have been established in the Archipelago the religious orders of the Augustins, the Recoletos, the Dominicans, the Franciscans, the Capuchins, the Benedictines, the Society of Jesus, the Congregation of St. Vincent de Paul, and the Congregation of the Daughters of Charity. The four first were constituted in the provinces, at the head of which there was a Provincial, who exercised the authority of prelate over all the religious bodies of the same class, having reference to the especial constitution of each corporation which was, approved by the Supreme Pontiff.

The Capuchins held a mission, which has its seat of government in Spain. The Jesuits and the Paulists have also two missions, which always depend on the respective Provincials resident in the Peninsula.

THE AUGUSTINS.

The Augustins established themselves in the archipelago in 1565. The Provincial resides in Manila. The order administers the cure of souls in the provinces and districts of Manila, Batangas, Bulacan, Nueva Ecija, Pampanga, and Tarlac, in the archbishopric of Manila; Ilocos Norte, Ilocos Sur, Union, Abra, Lepanto, Bontoc, Tiagan, Quiangan, and Benguet, and the comandancias of Amburayan and Cabugauan, in the bishopric of Nueva Segovia; Cebu, in that of Cebu; Iloilo, Concepcion, Capiz, and Antique, in that of Jaro. This order has a mission in Hunan, China. It has a convent in Manila, one in Cebu, Guadaloupe; it has a male orphan asylum at Tambobon, a girls' orphan asylum at Mandaloya; the College of Valladolid, in Spain; the College of Sta. Maria de la Vid, in Spain; the Royal Monastery of Escorial; the Royal College of Escorial; the hospital in Barcelona; the College of Palmi di Mallorca, in the Baleares Islands; a representative at Madrid and at Rome.

The order numbers a total of 644 members.

THE DOMINICANS.

The Dominicans arrived in the Islands in June, 1587. The Provincial has his residence in Manila.

The order administers the cure of souls in the provinces and districts of Manila, Cavite, La Laguna, and Bataan, in the archbishopric of

Manila, and Pangasinan, Tarlac, Cagayan de Luzon, Isabela de Luzon, Nueva Vizcaya, Itaves, Apayaos, Binatangan, Cayapa, Quiangan, Batanes Islands, and Babuyanes, in the diocese of Nueva Segovia.

The corporation has establishments in China, Formosa, and Tonquin. It has in the Islands and in the Peninsula the following convents and colleges: The Convent of St. Domingo, in Manila; the Royal and Pontifical Convent of St. Tomas, at Manila; the Convent of San José, at Manila; the College of San Juan de Letran, at Manila; the College of St. Alberto Magno, in Dagupan; the vicarship of San Juan del Monte, at Manila; the vicarship of San Telmo, in Cavite; the College of Sta. Cataline de Sena, in Manila; the College of Our Lady de Rosario, in Lingayen; the College of Sta. Imelda, in Tuguegarao; the College of Our Lady de Rosario, in Vigan; the College of Sto. Domingo, in Ocana, Spain; the College of St. Tomas, in Avila, and a Provincial at Madrid.

THE RECOLETOS.

The Recoletos came to the islands in 1606.

The Provincial has his residence at Manila. They exercise the cure of souls in the provinces and districts of Manila, Morong, Cavite, La Laguna, Batangas, Pampanga, Tarlac, Bataan, Zambales, and Mindoro, of the archbishopric of Manila; Romblon, Negros Oriental, Negros Occidental, Calamianes, and La Paragua, in the bishopric of Jaro, and Cebu, Bohol, Misamis, and the Marianas Islands in that of Cebu. The order has the following convents and colleges:

The convents of Manila, Cavite, Cebu, Imus, and three colleges in Spain, and an apostolic commissary-general at Madrid and Rome. It numbers altogether 522 members.

THE FRANCISCANS.

The Franciscans established themselves in the Archipelago in 1577. The Provincial resides at Manila. The order exercises the cure of souls in the provinces and districts of Manila, Bulacan, Nueva Ecija, Morong, Laguna, El Principe, and La Infanta in the archbishopric of Manila; Tayabas, Ambos Camarines, Albay, and Burias in the diocese of Nueva Caceres; Samar and Leyte in that of Cebu, and La Isabela de Luzon in that of Nueva Segovia.

The order has in the Archipelago, the Peninsula, and Italy the following convents, colleges, hospitals, and residences:

The Convent of Manila, the Convent of San Francisco del Monte, at Manila; the Royal Hospital of St. Lazaro, in Manila; a residence and church at Sampalog; the Hospital of St. Pascual, Baylon, at Manila; a residence and church at Manila; the Infirmary of Santa Cruz, in Laguna; the Hospital of the Lazarinos, in Ambos Camarines; the Royal Monastery of Santa Clara, in Manila; the College at Guinoba-

tan, Albay; the College of Pastrana, at Guadalajara, in the Peninsula, colleges at Toledo, Avila, Ciudad Real, Cuenca, Rome, and a residence out of Madrid.

The corporation numbers 475 men and 34 women.

THE CAPUCHINS.

This order came to the islands in 1886, and established its central mission at Manila. The Provincial Superior resides in Spain, and administers the three provinces of Toledo, Aragon, and Castile.

In the Archipelago there is a Superior who has charge of the mission house of Manila, and the missions of both Carolinas and Palaos, which is where the ministry of the order is exercised.

The established missions are the following:

The central mission at Manila; the mission at Yap, in the eastern Carolinas, with residence, church, and school in the towns of Sta. Cristina, San Francisco de Quror, Toru, and Sta. Cruz; and with visiting missions in Malay, Fara, and Aringel.

The corporation has a Procurador-General.

The order has 36 members in the Philippines.

THE BENEDICTINES.

The Benedictines came to these islands in September, 1895. They have a central mission in Manila; the Provincial resides in Spain. In the Archipelago they have a Superior, who has charge of the central mission at Manila, of some parishes in the district of Surigao, and a colony is in process of being founded in Mindanao. It has a college in Catalonia. The order numbers 14 members in the Philippines.

THE SOCIETY OF JESUS.

This society went to the Philippines in 1581 and commenced to exercise its ministry in the Archipelago, where they established a station which lasted until the year 1768. After an interregnum of ninety-one years, in 1859 the society returned to the Archipelago and founded a central mission at Manila and took charge of the cure of souls in the districts of Zamboanga, Surigao, Davao, Cottabato, Basilan, part of Misamis, and Jolo.

The society has under its charge in the Archipelago the following establishments: The Central Mission of Manila, the Municipal Atheneum of Manila, the Normal School of Manila, and the Observatory of Manila. It has a Procurador-General in Madrid and various colleges in Spain. The society numbers in the islands 164 members.

THE PAULISTS.

The Paulists came to the Islands in 1862 and established a mission of Filipino women, depending on the Congregation of St. Vincent de

Paul of Spain. They have establishments in Manila and colleges in Nueva Caceres, Cebu, and Jaro. They also exercise the direction of the society of the Sisters of Charity at Manila, and at various other places.

SISTERS OF CHARITY.

The Sisters of Charity arrived in the Archipelago in 1862, and took charge of education in various colleges for girls, and controlled the assistance of the sick in the greater part of the hospitals of the Islands. They now control the following establishments: The College of Concordia, the municipal school for girls in Manila, the College of Sta. Isabel, the Convent of Sta. Rosa, the Asylum of St. Vincent de Paul at Manila, the College of Sta. Isabel in Nueva Caceres, the College of St. Jose of Jaro, the military hospital of Manila, the hospital of San José, the hospital of St. Juan de Dios, the marine hospital of Canacao, the hospital of St. José in Cavite, the House of Charity in Cebu.

There are four other corporations of a charitable and religious character which do a great deal of charitable work, but it is not necessary to enumerate them here, as they are not considered to be of the same character as the religious orders above mentioned.

A complete separation of church and state should be inaugurated in the Philippines as elsewhere in territory under American rule. The profession of priest or clergyman should not confer any special right to hold civil office.

PART VIII.—A REGISTRATION LAW.

The Commission was much besought at Manila to procure the enactment of a new law of registration. There was enacted in Spain, June 17, 1870, a law of registration. Up to that time births, marriages, and deaths had been registered by the parish priests. They charged for one copy $1[1]—25 cents for the paper which they used and 75 cents for making out the certificate. The clergy opposed the adoption of the law of registration, which provided that births, deaths, and marriages should be registered before justices of the peace. The fees provided in the Spanish law were much smaller than those charged by the clergy. For instance, in recording deaths the fee for the justice of the peace was 1 peseta (20 cents) and for births and marriages and registration as a citizen the fee was also 1 peseta, and for every copy of the record one-half peseta was charged. The clergy had influence enough to prevent the adoption of the Spanish law in the Philippines, so that registration had continued to be done by the parish priests. All births and deaths were required to be registered; no person could be baptized unless he was registered; all baptisms, marriages, and deaths were required to be recorded in the books of the parish priests. There was therefore a considerable amount of fees collected by the priests and they were unwilling to give them up. There is a very great popular demand for the enactment of new regulations on this subject. It is not necessary, however, to provide an entirely new system if the existing Spanish law be adopted. We advise that immediate action should be taken on this subject by the military authorities, which action may afterwards be reviewed by any civil government which is established. It is a matter which concerns the customs and habits of the people, and under our system of government registration should be confided either to justices of the peace or to one or more clerks of the courts.

Where registration exists in America it is believed that the duty is performed by the clerks of the various courts. Under the Spanish law the justices of the peace are required to keep books after forms which are prescribed in the law. In Spain, since the passage of the

[1] Unless otherwise stated Mexican money is meant.

law of registration, entries in the books of the parish priests have no official character. It is believed by competent persons whom we have examined on this subject that the best thing to be done would be simply to adopt the Spanish law, which requires justices of the peace to register all births, deaths, and marriages. This arrangement would not cost the Government any money, for under this law the justices of the peace have certain fees which they collect, and the law provides that they shall first pay the expenses of registration out of these fees. It is the opinion of competent persons that the fees for these services should be very small.

THE LAW OF MARRIAGE.

The question of the validity of marriages performed by other persons than the parish priests has been much discussed in the Philippines. There have been many marriages of American citizens between themselves and of Americans to Spanish and Filipino women. The subject is of vast importance, involving, as it does, the legitimacy of issue and the validity of marriage. The law of marriage in the Philippines is a canonical law and nothing else. When a man wishes to get married he goes to the parish priest and the parish priest examines the woman and finds out whether she wishes to marry the man and what her race is—whether Spanish, Mestizo, Chinese, or any other—and then ascertains whether the fathers of both parties are willing that the marriage should be solemnized. The law which is in force in Spain and also in the Philippines in regard to marriages of natives, Spaniards, and Spanish half-castes, is that they can not marry without the consent of their parents or family unless they are 23 years of age; but this is not true in the case of Chinese Mestizos, who can marry at the age of 16 without the family's consent. This applies to both sexes. This privilege of the Mestizo Chinese, which was granted by the Pope had this object in view: The increase of this race, which is the race considered to be the most industrious. The priest then finds out if there is any impediment to the marriage and if he finds none he calls the banns openly in the church for three Sundays, and if no one makes any objection to the marriage the contractants are allowed to marry on the day following the third Sunday.

On the day for the wedding they take two witnesses, a man and a woman, who go to the church with them, and the priest reads a portion of the Scriptures and makes a short address, giving advice, and inquires of the witnesses if there is any objection to the marriage, and if there is none the ceremony is performed. The ceremony is usually performed just before mass, and the groom pays the fee both for the marriage and the mass which follows. This money all goes to the church and not to the state. There is no license required. The state does not intervene in the matter at all. The marriage is purely

under canonical law. An entry is then made by the parish priest or his deputy in the parish register and signed by the witnesses, and whenever a copy is taken from it such copy is an official document. There is no civil marriage in addition to the canonical marriage.

In 1889 the Civil Code was published in the Philippines, and the people immediately began, after having been married in the church, to have a civil marriage performed. This did not please the clergy, and they used influence with the Colonial Minister and had him suspend the operation of the civil law in the Philippines. The civil law provided for two marriages, one in the church and one before a justice of the peace, but the marriage before the justice of the peace was not a true civil marriage, it was nothing more than a registration in the presence of a judge.

If the Spanish law is to be adopted the law of 1869 should be retained. That is a law of liberty in religion with reference to marriage, and under that law marriages could be performed without inconvenience to any believers in the different creeds or religious sects which prevail in the Philippines. It is understood now that the parish priests will not marry anyone except Catholics. Protestants would have to be married by a Protestant clergyman. As the civil code is not in force there is no existing law under which a Protestant clergyman can perform the ceremony of marriage. There is no legal mode by which Protestants can enter into the marriage relation. We inquired whether if a man took a woman and lived with her as his wife, had children by her, introduced her into society as his wife for a number of years publicly, the courts would hold that such circumstances made her a lawful wife. We were told that society might accept such a woman as a lawful wife, but in case any question arose in the courts they would not consider her to be his wife unless she could produce a copy of the parish register as above stated, and she would not have any civil rights regarding the property of the man with whom she had lived. It is therefore a matter of great urgency that regulations should be put in force by the military authorities, if they have the legal right to do so, which is not doubted, providing for the performance of the ceremony of marriage. In the United States generally marriage may be performed by every justice of the peace, every judge of a court, and every minister of the gospel of any church. A license must first be procured from the county clerk.

The witnesses before us were asked what system they recommended for the Philippines. One of the most intelligent of them stated that it was his opinion that there should be practically established in the Philippines the law of 1869, prepared by Montero Rios. The reasons given for his preference for this law was that it treats all religions alike and does not give special privileges to the members of any church. By its terms persons who wish to be married shall give notice to

the municipal judge of the district where they have their domicile. If both the contracting parties live in the same district they shall apply to the judge of that district, but if they live in two different districts they may apply to the judge of either district. This notice shall be given to the judge in writing in case both parties are able to write, and if not it may be signed by some other person. The judge then interrogates both parties in regard to this written notice which has been given, and if they both justify the written notice he shall publicly post on the doors of the court a notice of their marriage, which shall contain a clause asking all who know of any impediment to their marriage to bring it forward. This notice shall be put up twice for a term of eight days, in all sixteen days. If one of the contracting parties lives in another town or another province a copy of this notice shall be posted on the door of the court-house of the said town or province. If the contracting parties are foreigners or have not lived two years in the country they shall produce a certificate from the authorities of their own country showing that they are both single. In case one of the contracting parties is at the point of death these certificates shall not be necessary, but the marriage may take place at once without the necessary publication. In case of military men the certifications of the chief of the body to which they belong shall be sufficient. In case anyone raises objection to the marriage of either party for any cause whatever the person so raising the objection shall present a complaint, and this complaint shall be brought before the Promotor Fiscal of the court. The marriage shall be performed by the justice of the peace in the presence of two witnesses.

The justice of the peace or the municipal judge shall not perform the ceremony of marriage while any opposition to the marriage is pending. The ceremony shall not be performed until the objection is investigated and either allowed or disallowed. The contracting parties shall produce certificates of birth, and shall also, at the time of the marriage ceremony, produce certificates that no objection has been made to their marriage; and if they be minors they must also produce certificates of their fathers and mothers giving consent to the marriage. In case of orphans they must produce documents from their guardians or from their families certifying that they give consent to the marriage. If the notices of marriage are posted in the towns where the contracting parties live, or in two separate towns, and six months pass without the marriage having taken place, the marriage shall not take place without a notice of marriage being posted for another sixteen days.

This law was never put into operation in the Philippines.

The process in force as to the application of laws passed in Spain to the Philippines has been described to us as follows: The laws coming from Spain were some of them decrees passed in conjunction with the

cabinet; others were laws dictated by the congress and the senate in Spain. When a law was passed in either of these ways the Colonial Minister got out a royal order, which he sent to the Governor-General at Manila with instructions to apply it to the Philippines. The Governor-General having received the law, if he saw fit, issued an order for its immediately taking effect, but if for any reason whatever he did not see fit to put the law in force he wrote across the bottom that it should be published but should not be put in force, and it was then put in the archives; and afterwards he sent a report and gave his reasons for not putting the law in force at once to the Colonial Minister. It usually happened that when the Governor-General objected to putting the law in force nothing more was done with it. It so happened with regard to the law of 1889, and the parish priests continued to perform exclusively the marriage services. The action of the Governor-General in this particular case was taken at the instigation of the clergy. This interference of the clergy with the conduct of the Government was common.

The same course of action was taken with regard to the Penal Code, which was suspended so far as it related to crimes committed by ecclesiastics. The question was referred to Madrid and the inquiry was made whether or not the Penal Code did apply to crimes committed by ecclesiastics, and up to the present time the question has never been answered.

It is perhaps unnecessary for us to express preference for any particular law regulating marriage. The law of Spain, of which we have given an outline, would suit the condition, habits, and customs of the Filipinos. Possibly, however, the ordinary marriage laws which prevail in most of our States would accomplish every desired purpose. It is understood that by an order of the military governor, issued at Manila in December, 1899, the text of which has not yet reached the Commission, suitable measures have been adopted.

PART IX.—THE CURRENCY.

Until the mint was established in Manila in 1857 the Philippines had no money of their own.

After the coming of the Spaniards in the sixteenth century, the money brought by them from Spain, and money from China and neighboring countries, which was brought by traders, have been in circulation.

To supply the lack of fractional currency the coins were cut into different pieces. This custom existed before the coming of the Spaniards, as is shown, as well by history as by the names given to the pieces. The rupee was the original monetary unit. Tagalog names were given to it and its parts, and the same names were continued as applicable to the Spanish dollar.

In 1764, and afterwards in 1878, decrees were issued prohibiting the circulation of counterfeit money and ordering that cut money should be stamped, but these decrees were never efficacious.

Money has nearly always been scarce in Manila. When money was abundant it was shipped to the provinces. Its price varied according to abundance or scarcity.

In 1799 the Governor-General prohibited the exportation of money, and fixed the value of the peso at 8 reales and the real at 17 cuartos. The payment of premiums was also prohibited. During the insurrection of the Spanish colonies in America coins came to the Philippines from the new republics, and their circulation was authorized in 1828, and they were stamped at Manila.

During the first half of the present century the Philippines suffered from a varied and continued monetary crisis. The money in circulation was of different coinages and the fractional currency was of different systems. The difficulty in adjusting accounts was enormous.

Counterfeit money and coins that had been tampered with were common. Not only were silver coins in circulation, but gold was abundant in the shape of Spanish coins and coins of the new South American Republics. The gold coins were worth 16 pesos. In 1837 an order was issued abolishing the stamping and restamping of foreign coins, but allowing coins already stamped, and others which were not stamped, but which were in circulation, to circulate.

At the same time copper coins came from Spain, and an order was issued that 20 cuartos should be counted as 1 real.

There was not enough silver for the needs of the people, but gold money was very plentiful, and it sometimes suffered a discount of 33 per cent of its value.

Until 1857 the greatest confusion existed in the counting houses of public officials, some keeping their accounts in pesos, reales, and cuartos, and others in ounces, pesos, reales, granos, and cuartos, and others in pesos, reales, cuartos, and maravedis (the smallest Spanish coin). On the 17th of January of said year, in order to put an end to these confusions, a decree was published to the effect that the accounts should be kept in dollars and cents, but unfortunately the copper money which was in existence there, which to-day is current in the Philippines only, was the cuarto, which can not be estimated as a cent, for while there are 100 cents in the peso there are 160 cuartos.

The coins which were in circulation then were the following:

GOLD.

Ounces worth $16, both Spanish and from the republics of South America.
Half ounces from the same source.
Coins of $5, Spanish, of the time of Isabel II.
Spanish coins of $4, $2, and $1.

SILVER.

Coins of 1 peso or similar value from everywhere, but principally from Spain, Austria, and Latin America.
Coins of a half dollar, which were called 10 reales (vellon), or 50 cents; or 4 reales (fuertes). These came from Spain and America.
Coins of 1 and 2 reales called "columnarias," because besides the shield of Spain they bore the columns of Hercules. These were of value of 1 and 2 reales (fuertes).
Spanish coins of 1 peseta of the value of 1 real, and 12 cuartos, or 32 cuartos.
Coins of the half real (fuerte).

The true crisis which did severe damage was caused by gold, for there came a time when there were no other gold coins than the ounces worth $16. In order to remedy this evil there was decreed by Spain the establishment of a mint which should coin money according to the provisions of the following document:

[Royal decree of September 8, 1857. Office of the first secretary of state, colonial department. No. 202.]

YOUR EXCELLENCY: The Queen (whom God guard) has seen fit to issue the following royal decree: Considering the information given me by the state department and the colonial department, and with the approbation of my cabinet of ministers, I decree as follows:

ARTICLE 1. The gold ounces from the Spanish-American republics which are in circulation in the Philippine Islands, and which are held in royal treasuries, in common treasuries, in the treasuries of the departments of rents and property, in charitable and similar departments, shall be reduced, according to their value and weight, to "doubloons" of 80 reals "vellon" of Spanish coinage, and to "shields," or coins of 40 and 20 reals "vellon."

ART. 2. The same change shall be made with gold ounces which private parties may voluntarily present, and their value shall be paid to the owners in doubloons and coins of the ounces which they may hand in.

ART. 3. These doubloons and shields shall be 0.875 fine, with one-quarter of a grain or 0.0026 margin.

ART. 4. The doubloon or coin of 80 reales shall weigh $135\frac{9}{17}$ grains, of a fineness of 118/17th grains. The coin of 40 reales shall weigh $67\frac{13}{17}$ grains, of the fineness of $59\frac{5}{17}$. The coin of 20 reales shall weigh $33\frac{15}{17}$ grains and shall be of a fineness of $29\frac{11}{17}$.

ART. 5. The difference in weight of coins of the denomination of 80 and of 40 reales shall be three-fourths of a grain for the former and one-third of a grain for the latter.

ART. 6. Each mark or weight of 8 pounds of gold, according to law, must produce 34 coins of the denomination of 80 reales, or 68 of the denomination of 40 reales, or one thirty-sixth of the denomination of 20 reales, an allowance of 6 grains for each mark or 8 pounds weight being granted.

ART. 7. The new coins shall bear upon one side a bust of my royal person, with the motto "Isabel Segunda por la gracia de Dios y la Constitution," and below the year of its coinage, and upon the reverse side the shield of Castile and Leon, with the motto "Reina de las Espanas," and below the word "Filipinas," and at the side of the shield the respective value of each coin in reales "vellon."

The mint began to operate in Manila on the 19th of March, 1861, making nothing but gold coins of the value of $1, $2, and $4. That same year a royal decree arrived ordering that coins of silver from the South American Republics should be taken up and that coins of 50, 20, and 10 cents should be minted from them.

In 1874 an order was issued to buy silver to the value of $100,000 in order to coin fractional currency.

It is impossible to ascertain the quantity of gold which the mint coined, but probably it was more than $20,000,000.

In 1875 gold coins were abundant in the Philippines, exchange on London being quoted at 4 shillings and 4 shillings and 6 pence. In 1876, July 24, a decree of the colonial office appeared in the Official Gazette in Manila which changed the relation of the two metals to each other.

This decree is as follows:

GAZETTE OF MANILA, *Manila, July 24, 1876.*

This document is issued in order to find out whether or no it is a fact that Mexican silver, vulgarly called "eagle money," is received in official circulation for its full value. Varying information upon this point has been received from the general treasury, the mint of this capital, and the general treasury of internal affairs. From the acts, a copy of which accompanied the communication from the last-named office, and from information given in this communication, it appears that the free circulation of silver coined in the Spanish-American republics has been authorized since very early times and that in consequence of this measure money from these sources was in circulation in considerable quantities, and especially Mexican money. The result was that, far from causing disturbances and losses to private parties and to the state, the existence of said money in the islands facilitated the operation of mercantile transactions, preventing at the same time the money changing which the exportation of this metal, caused by the higher price quoted for it in the markets of China, afterwards caused.

According to the statement of the managers of the mint, Mexican dollars in good condition when coined into Filipino dollars render a surplus of from 2 to 2½ per cent over our money, and it appears that although the mint of this capital has coined about $1,000,000 in 50, 20, and 10 cent pieces, and although considerable quantities of money have been received from the Peninsula in copper, silver is still sought in preference to gold. Both on account of the facts mentioned and in consequence, not stated in this document, which go to show and justify the fear that a crisis may be undergone in the islands on the continuation of the circulation of said silver, the following orders are issued upon the matter:

This office of general control, with reference to the facts stated, resolves:

That as heretofore general and provincial treasuries shall continue carrying out the provisions of the proclamation of March 31, 1837, and the order of the superior government and Captain-General of the islands, dated September 29, 1845.

(These decrees allowed the circulation of Mexican silver.)

The publication of this decree offered easy methods of changing for Filipino gold at par the silver Mexican dollars, which, in agreement with the change in the price of the metal, have been decreasing in value outside of the Philippines. There was no other business so good, for it dealt with a commodity whose value was known and secure in the Philippines, as was also its sale. So it was that shortly afterwards gold coin became scarce and the public found it very inconvenient to count and transport the bulky silver coin.

About a year afterwards another director of hacienda named Carreras E. Gonzales called to the attention of the Governor-General the fact that the financial situation of the country was very serious for the monetary system, and he advised to take up as rapidly as possible the money in circulation and to recoin it in national money and prohibit the circulation of the Mexican dollar.

The Governor-General, seeing the importance of the proposition, issued the following decree:

Taking into consideration the reasons set forth by the department of internal affairs upon the advisability of putting a limit to the circulation of Mexican silver coin because of the serious disturbances which it is producing in the money market and in conformity with the advice of the council of authorities and the cabinet of administration in full session, I issue the following decree:

ARTICLE 1. From this date and until further notice the introduction into the islands of any kind of foreign coin is suspended.

ART. 2. Quantities of said money sent for to foreign nations in the course of business before the publication of the present decree are excepted from the operation of the preceding article. Those interested shall within the term of twenty-four hours hand into the department of internal affairs a statement of said quantity sent for, duly certified in the judgment of said department.

ART. 3. Mexican silver coin at present in circulation in the islands, by virtue of the decree of the department of internal affairs dated July 24, 1876, shall continue as heretofore to be received as legal money in the country.

ART. 4. The recoinage of said coin in the mint of Manila shall be proceeded with immediately and with all possible activity, and said coin shall be made into Spanish coin in the shortest possible time, after which said Mexican coin shall not be legally recognized as in circulation as silver coin, but shall be considered as bullion and taken for its intrinsic value.

ART. 5. All provisions contrary to the present decree are hereby repealed. This decree shall be published in the Gazette, notice of it shall be given to the government of his Majesty, and it shall be returned to the department of internal affairs for its fulfillment.

MANILA, *March 20, 1877.*

The same Director Carreras proposed to the Governor-General to make a reduction in the law concerning Filipino coin, which called for a fineness of 0.900, and his proposal was to make it 0.835, which was the fineness of the Spanish coin, with the idea of preventing its going out of the islands. The General, following the advice of the Director, issued a decree, dated March 23 of the same year, 1877, that silver coin which should be coined in the mint of Manila should have a fineness of 0.835 instead of 0.900, as was the case before.

Nevertheless this measure did not take effect because the government of Madrid did not see fit to approve it, basing its refusal to do so upon the fact that it did not have sufficient information on the subject, and that it was a serious matter to change the law concerning a coin without previously knowing the reasons therefor existing in Manila in detail and thoroughly.

After various letters and recommendations had passed back and forth between the Philippines and the home government, finally on the 23d of November, 1880, the order was issued to coin the following coins of the fineness of 0.835 as the Governor-General wished, namely, a 50-cent, 20-cent, and 10-cent piece. Meanwhile the value of the Mexican dollar decreased from day to day.

In 1884 gold coin had entirely disappeared.

The mint and the treasury flourished in the process of recoining, and to increase these benefits of the state an order was issued that all the dollars of ancient Spanish coinage, which were rich in fine silver, should be turned into the treasury, and with these money of the fineness called for by the law—that is to say, 0.835, were coined, which produced a profit of 10 per cent.

While gold coin had disappeared fractional silver coin at the same time became worse in quality, so that to the lack of gold were added the evils of a debased silver currency.

In 1897 the Government of Madrid resolved to send to the Philippines a coin of silver of the value of $1, under the same law which governed the piece of 5 pesetas in the Peninsula. This coin came to Manila, and naturally did not change the price of exchange in the least.

It was still more advantageous to get exchange on London from Manila than from Hongkong. The chief reason for this was that the balance of trade was in favor of the Philippines, owing to their exportations, and, secondly, that there was an artificial scarcity of silver in Manila; but in 1883 and following years the Spanish treasury sent all

its Mexican dollars to the mint in the islands, and they were made into coins of 50, 20, and 10 cents, thus increasing the volume of money and lowering its quality, so that exchange on London was practically the same as from Hongkong. The Spanish appreciated the monetary condition but did nothing.

Copper has never been coined in Manila, and there has always been a need of coins of this metal. Shortly before the coming of the fleet of Admiral Dewey copper coins of five and ten hundredths of a peseta were received from Spain, as one and two hundredths of a dollar, but they were immediately exported, as might have been foreseen, for, while they circulated at par, exchange on Spain was 25 per cent premium.

The result of what has been shown is as follows:

First. Manila has a mint which has been in operation since the year 1861.

Second. Said mint made coin peculiar to the Philippines, which were the gold dollar, in coins of $1, $2, and $4 gold; and silver coin in fractional currency of 50, 20, and 10 cents.

Third. That in 1876 the circulation of Mexican silver money of $1 at the same value as the Philippine gold dollar was authorized.

Fourth. That on account of the persistent decline of the value of silver the Mexican dollar was of less value each day outside of Manila, but of equal value within Manila, as compared with the value of gold. From this it came to pass that gold was purchased with the Mexican silver until all the gold coin left the country.

Fifth. That officially the same value which the gold dollar possessed has always been given to the Mexican silver coin.

At this time the Philippines are on a silver basis. The American cent passes for two cents, the nickel for ten cents, and so on up to the dollar, which ordinarily passes for two Mexicans.

Prices still remain fixed in Mexican dollars, but payments are made indifferently in American or Mexican dollars at the value stated. An American soldier dines at a hotel, lays down in payment an American dollar and gets a Mexican in exchange, whose intrinsic value exceeds that of the dollar which he paid.

We have examined many bankers, business men, and professional men on the question of the currency.

A gold man has made before us the following argument:

> The quality of the articles imported has become worse, and to-day cloth, metals, provisions, etc., are received which are of inferior quality, in order that they may be sold as cheaply as possible. As the quality is inferior, the lasting qualities of said articles are also less, and the result is an enormous injury to public economy. At the same time the sale of imported articles has diminished, because the money of the buyer is used in small purchases on account of the high price of the articles. The argument used in favor of silver by certain merchants is absurd. They say that the exporter using a money of an inferior value receives a greater quantity of it than if

it were money of more value. It is true that a man who receives a dollar in copper money receives a greater number of coins than he who receives a silver dollar, but still he does not possess more than one dollar. What difference does it make that the Philippines receive more Mexican dollars if the buying power of the Mexican dollars is always relative to the gold dollar and so much less?

Furthermore—and this is a reason which does not appear to have been taken into account—the low price of a coin would be of advantage if it fluctuated, and its value would soon increase, for after a large sum of money of a low value had come in this sum would be beneficial if the price of its metal should rise soon. This has not occurred, and, on the contrary, each year the value of silver has diminished, so that if the Philippines have one year $40,000,000 in Mexican dollars which are worth $20,000,000 in gold, in the following year these same $40,000,000 would be worth only $19,000,000 in gold, and soon but $18,000,000. What, then, has been the advantage of silver money? None is apparent, and it is urgent that we have in the Philippines a money of stable value.

There is no remedy for this defect but to possess gold and to always calculate in gold, but, this being true, this question arises: What value shall be given to silver in relation to gold—16 to 1, as in America, or 32 to 1, as in Japan?

Japan has labored with great judgment to fix the ratio of silver to gold at 32 to 1, for this is approximately the natural value at this historic time, and because Japan, which has always been a silver country, was not fitted to adopt any other ratio, for its only object in making gold coin was to fix the value of its money and to give it stability.

The Philippines are in different circumstances. This is a gold country without gold; a country whose monetary system is based upon gold and in which the proportion of 16 to 1 has been preserved officially.

The most of the old merchants, the bankers, and the natives favor the retention of the silver currency as it is at present.

Their arguments are rather practical than scientific.

When some of these witnesses came to Manila the gold currency existed. Silver dollars, as has been shown, then circulated, and they were greatly increased by smuggling. Gradually silver supplanted gold, and the latter metal disappeared in 1880. The currency has been regulated by exchanges on London. The rates went down year by year until a silver basis was reached, and this condition has existed more than ten years. The natives are now accustomed to silver; all the capitalists value their property in the currency of the country. These witnesses say that the wealth produced here is entirely from the soil. There are no manufactures or any other interests except purely agricultural ones. There has been no appreciable change in the value of the silver dollar. Wages have been slightly increased. There has been some increase in the cost of living, but that may be attributed to other causes than the depreciation of silver. Of course, the price of imported clothing has increased, but the natives wear little clothing. Prices of exported articles fluctuate with home markets.

The idea of these witnesses is that gold has appreciated. The natives secure better prices for their products. They get more dollars than they did before, and they look at the number of dollars only. The competition in business is so great that the exporter makes only

a small Commission. The advantage of higher prices for products goes to the native. The universal opinion is that lower exchange has benefited business. If a sugar grower can sell his sugar for $5 a picul he is a wealthy man. A picul is 140 pounds English, and 133 pounds Spanish.

These gentlemen say that the existing currency is the best for the islands unless the United States should coin a dollar of the same weight as the Mexican and allow it to circulate as a dollar.

The preponderance of the proof before us is that the agricultural people would not be satisfied to receive fewer dollars than they now receive.

The Commission does not see its way to recommend any sudden and arbitrary change in the currency.

As has been stated, the American dollar, both in metal and paper, is winning its way to public recognition. The time will probably come when it will supplant all other money. We would leave the question to be solved by time.

Our attention has also been called to the fact that these islands have extensive trade relations with China and other silver-using countries, which might be embarrassed by a return to a gold basis.

There is a great deficiency of copper coins here, as well as of subsidiary silver coins. The cent, the nickel, the 10-cent piece, the quarter, and the half dollar should be largely put in circulation.

There should also be an American bank at Manila. There are three banks here now, the Hongkong and Shanghai Banking Corporation, the Chartered Bank of India, Australia, and China, and the Filipino-Spanish Bank. The latter alone issues notes in the Philippines.

The Filipino-Spanish Bank has the power to issue $4,500,000 in paper. It never issued but $1,522,350 at Manila and $259,700 at Iloilo, where it has a branch, a total equivalent to $891,020 gold. Of this amount it is probable that $400,000 has been lost.

Above all other countries paper is needed in silver countries for convenience in trade. The amount in circulation here is plainly too small. The pay department has put in circulation more than $500,000 in notes, but this money does not remain at Manila. The English banks send it to the United States by mail, paying one-fourth of one per cent insurance, and small sums for postage and registration.

We conclude that no legislation on the currency question is necessary, except to establish a bank or banks.

PART X.—THE CHINESE IN THE PHILIPINES.

HISTORICAL REVIEW.

The Chinese have immemorially traded with these islands. Their relation with the islands existed before Spanish dominion was established. Their commercial transactions were first conducted exclusively in boats, which were often looted by the natives.

Legaspi founded Manila in 1571, and soon commenced to protect the Chinese against violence. In 1585 they were already located in the islands. When the Chinese became able to live safely in the Philippines and to do business with the natives they began to immigrate in greater numbers. As the number of the Chinese was continually increasing, and as it was necessary for the security of the colony to segregate them from the rest of the population, a large building, or market, with numerous habitations, was built for them as a measure of governmental policy. This market was called "The Market Place of San Fernando," and it served as a home for the Chinese. They participated in all kinds of manual labor, as well as in the retail trade of imported goods and in the sale of small manufactured articles.

They made good profits, and in a few years the market place, which was theirs exclusively, proved too small to accommodate all who came from China, and another building, called "The Parian," was constructed for a like purpose. The Chinese immigration kept on growing in numbers and became a sort of invasion, and the time came when the two places designated for their segregation were insufficient to accommodate them.

In the middle of the seventeenth century there were some 30,000 in the neighborhood of Manila. At that time they revolted against the Spanish Government and for some days besieged Manila. After various futile attempts they were convinced that they could not conquer in the Philippines and finally withdrew, raising the siege, and then they were pursued to a point behind Cainta and slaughtered in great numbers without pity. As a result of this revolt against the sovereignty of Spain in the Archipelago greater restrictions were imposed on their immigration. In spite of these restrictions the Chinese colony gained in strength what it had lost in extent, because

these restrictions gave the Chinese the undeniable right to manage their own commercial affairs and enabled them to always corrupt the administrative element in the Philippines.

In 1755 all non-Christian Chinese were ordered to be expelled, but before the day arrived for their expulsion, June 30, 1755, many had become Christians and many others were studying the mysteries of the faith. Two thousand and seventy were banished from Manila. In the time of Don Simon de Anda (1762–1764) it is calculated that some 8,000 died in the central provinces of Luzon, who were exterminated in those towns by the order of their Governor-General, only those who lived in Manila and its suburbs remaining alive. As a consequence of this anti-Chinese campaign, many of them who survived these assassinations emigrated to their own country, and the number of Chinese established in these islands diminished little by little. It is noteworthy that the diminution continued until from 1840–1846 when there were only 5,000 in all the Philippines, a small number as compared with other times. Among these 5,000 were 500 natives of Macao, who devoted themselves exclusively to the trades of cooks, shoemakers, and cabinetmakers. We may note a curious detail that the natives in Macao have always been completely separate from the other Chinese and that up to the present time they have always had better public and private customs than the others, and that as yet they have not given any cause for restriction by the various governments of the Philippines.

The Chinese question has always been a prominent question with the Governors-General. In 1859, when Señor Norzaray gave up his command in the Philippines, he wrote an extensive paper in which this question was discussed.

He said:

> One of the most difficult questions remains to be solved on my giving up of my command, that of the commerce carried on by the Chinese in the provinces. The clamor against these Asiatics is general in the country, because competition with them is not possible.
>
> Spaniards, Mestizos, Indians, all give them a free field in retail business when they enter. Their few needs, their patience under every insult and vexation and sacrifice, and personal labor which they can utilize, except agriculture, the ease with which they adapt themselves to the customs of the natives, and to the exchange of produce and to all the needs of the consumer, the insignificance of their personal expenses, the manner of their life, the close cooperation which they maintain among themselves, all place them in a situation advantageous to them, but not always to commercial progress.
>
> The truth is that they have practically monopolized retail business in the provinces. It is, in general, true that they do not start any enterprise or undertaking of any importance. They hoard by instinct, and hide or take away their capital from the country, which capital in other hands would be a powerful element of progress and advancement; but is it possible and would it be prudent to at once reverse the customs of the country, which is now accustomed to the services of the Chinese in the retail business referred to?

Are the complaints of thousands of individuals of other races sufficient warrant for the prevention of their invading activity in all industries?

An energetic reaction against the Chinese has existed during the last two years in Java, in Australia, and in California.

In the voluminous report to which I referred in the beginning, it is set forth by approval, and by some royal orders, that they be protected. I believe that it would be impossible to establish a means of quieting these complaints and at the same time avoiding the consequent setback in business, to wit, to take the prohibitive measures which have been adopted in the countries mentioned. The commercial invasion of the provinces by the Chinese could be only advantageous under certain restrictions. The gathering of fruits of the country for exportation, which up to the present has been done by Spaniards, natives, and Mestizos, should continue in their hands, for this tendency to fraud, to adulteration, and to monopoly which is characteristic of the Chinese would be prejudicial to their production.

The industrial tax is called upon to establish a just balance in trade and protection in favor of the national races in the Philippines. The industrial tax which the Chinese pay at present is insufficient for this purpose on account of the insignificant rates which it fixes.

This is the most interesting part of the paper of Señor Norzaray, in that he strongly argues that it would be better for Spain to be impoverished by taking energetic and saving measures against the Chinese than that the Philippines should be ruined by foreign commercial absorption.

Since the administration of Señor Norzaray up to the beginning of the war between the United States and Spain the influence of the Chinese in the Philippines has been increasing both in commerce, industry, wealth, and production. When any individual or collection of individuals opposed the superior power of the Chinese they were always taken care of by powerful friends and were able, by means of giving valuable presents, to overcome any opinion unfavorable to them, both in the government of the islands and in Madrid. By means of this policy they triumphed over the anti-Chinese report which was sent to the Government of Spain, signed by many merchants and manufacturers of the Philippines, both natives of the islands and of the Peninsula, in June, 1896. In this report, among other things, it was said that—

Legislation relative to the Chinese being superficial, confused, and contradictory, offers in this country a peculiar motive for reflection. While the former colony, daughter of costly experience, acquired by much bloodshed, restricted immigration, limited it, and did not wish it to exist unless confined and under our cannons in Manila or scattered about the country in agricultural pursuits, the modern colony, the daughter of vague ideas, was essentially narrow-minded, impressionable, impetuous, recommends the encouragement of this immigration, whose growth can not be prevented.

The undersigned, natives and persons from the peninsular, on having the honor of presenting this report to Your Majesty, are inspired by the most ardent patriotism and a desire to better and consolidate the sources of wealth of this country, being identified with its interests, which are also the interests of the metropolis, and with the immense majority of the inhabitants.

In setting forth the difficulties by which the natural march of progress is impeded, it is not their intention to deprive the Chinese of certain liberties compatible with

their manner of life, with natural right, and also compatible with the mutual benefits derived from commerce between Spain and China. They are only moved by a desire to modify those excessive liberties through which evil conditions, generally among the middle and lower classes of the country, are visibly being established—evil conditions which will continue increasing irresistibly, according as Chinese immigration increases, which is stimulated in China by a large number of business men whose sole occupation is collecting the Chinese and shipping them to Manila, from which business they derive great profits. There is no room for doubt that the Chinese merchant corrodes and sterilizes the most valuable germs of the national wealth everywhere, being the personification of the ignorant man in the fable who killed the goose that laid the golden egg.

When the signers put forward what they believe to be an echo of the people they sound an alarm to the public power in order that a preventative measure may be adopted to attack at an opportune time the excess of Chinese and the excessive liberty with which this soil is exploited by a race which, although it is called industrious, refuses all productive labor, such as agriculture or any other day labor; a race which corrupts and dries up every place through which it passes, whose enumeration has always been a fraud to the administration, for by fraud only about 25 or 30 per cent of them are calculated; a race which is excessively stubborn in persisting in maintaining their own peculiar customs and manner of life; which is stubborn in resisting everything pertaining to good government, public hygiene, and the police; which threatens us within a few years with a radical transformation in our population and customs; which, altogether, is a permanent menace to all the principles of the economic vitality of the country.

Therefore the undersigned, at the royal feet of your majesty, ask that a law to suspend Chinese immigration shall be put in force in the Philippines, and that in this law provision shall be made (and this provision constitutes the true reciprocity of the treaty) that Chinese shall not engage in manufacture and in commerce, except in the open ports of the Philippines, they being granted a short space of time to liquidate their business pending in the interior and in ports which are not open; also that in the interior Chinese shall only be admitted to engage in agriculture and mechanical trades exclusively; and that the Chinese shall not be bidders for contracts for the administration; and, finally, that strict provision shall be made for Chinese merchants to enroll themselves in the public register, and for them to present their accounts and other formalities of their affairs according to the prescriptions of the commercial code.

At this time many spirited polemics in favor of this report against Chinese immigration were published in the press. There seemed at that time to be a unanimous aversion to the Chinese existing in Manila. It must be said, however, that all this investigation was directed with the idea of looking for arguments antagonistic to the Chinese, and none was made to bring out arguments in favor of them.

Coincident with the movement in the United States to exclude the Chinese, an effort was made in 1888 to exclude them from the Philippines, but it came to nothing. There are about 40,000 Chinese in the Archipelago, of whom 22,000 or 23,000 live in Manila. During the Spanish régime, between 10,000 and 12,000 came to Manila every year, and 7,000 or 8,000 returned to China every year. Many of those who went to China returned after spending four or five months there. There are about 2,000 Chinese women in Manila. Some of these are

married, but the most of them are concubines. About 100 or 200 Chinese children are annually born in Manila. About 300 Chinese die every year. Many Chinese men marry Filipino women. The second generation is called "Mestizos," who are said to be intelligent men, but are restless, scheming, and untrustworthy.

Under the Spanish régime the ordinary assessment of the immigrant was $6.00. Other assessments were added to this sum, so that the total paid, exclusive of what was paid to the Chinese consul for registering, was $9.89. The consul seems to regulate his fees to suit himself.

The Chinese come to the islands chiefly from the province of Fukien, China, of which the chief city is Yanchow, but they mostly come from Amoy, which is in the same province. About 3,000 come from Canton.

If Chinese immigration to the islands were unrestricted, it is thought that many hundreds of thousands of Chinese would come to them.

After peaceful American occupation labor would be in great demand, especially for the mines, in which the islands are rich. It is sufficient to say that the great majority of the natives are strongly opposed to Chinese immigration. It has sometimes been said that the natives hate the Chinese for their virtues, but this is not true. There are as many wicked and vicious Chinese pro rata as there are natives. The Chinese are notorious gamblers, and there are many criminals among them.

It can not be doubted, we think, that the chief reason for the prevailing and pronounced antipathy to the Chinese grows out of labor competition. The Chinese keep prices down and are in many respects better laborers than the natives, who are inclined to indulge in gentlemanly vices and to take time for pleasure, and who love dress and display. At present the natives do a great deal of lightering in the port, but they do no hauling or carrying of heavy burdens—all this work and all the shopkeeping is done by the Chinese. The Chinese get from $1.50 to $2 (Mexican money) per day for loading or unloading ships. For carrying burdens, the bearers are paid from 50 to 75 cents per day. The beast of burden in Manila is the cariboa. The driver receives for cart, cariboa, and his own wages $1 a load.

There was considerable evidence taken by the Commission at Manila to the effect that the Chinese should be excluded. The people who employ Chinese in business want them to come in, but those who do not employ them are opposed to their admission. There was testimony before us to the point that the Chinese take out of the country everything they can; that they spend little in the country, because they live on little; that they intermarry with the Filipino women, and that they produce a race which does not furnish good citizens; that many of the great troubles of the islands are caused by Chinese and

their descendants. Most of the witnesses concur in stating that it would not be advisable to let the Chinese come into the country without restriction. The natives do not like them, and their presence frequently causes trouble.

It was stated before us that the natives built the railroad to Dagupan. The production of rice along its tributary territory has increased nearly 100 per cent, owing to the opening of the country through which the railroad went. We believe that in many parts of the Archipelago the native is quite capable of developing his own country.

Some years ago nearly all the artisans, such as carpenters, stone masons, builders, and bricklayers, were natives; now they are nearly all Chinese. You can hardly find a native carpenter or bricklayer.

It sometimes happens that the Chinese return to China, leaving their families in this country.

THEIR CUSTOMS.

The idea of the Chinese in emigrating to a foreign country is simply to gain a livelihood. They only seek their own advantage and do not consider that they should even indirectly advance the commerce and the industries of the country which is their second home. They have no theoretical idea of colonization. The Chinese have very few necessities, and endure with patience any insult or persecution whatever, if they can turn it to any use or can escape thereby any harm. They have a great love for their native land, where they hope to live when they obtain a fortune, that they may not be separated from the remains of their ancestors. This sentiment of remembrance and veneration for their ancestors is so deep-seated that the steamers of the lines of the Pacific Ocean carry cases in which the bodies of those who have died in America are returned to China.

It is seldom that one is found who does not know how to read and write, and the facility with which they learn to speak the language of the country to which they emigrate is worthy of note.

The Chinese who have married in the Philippines have first been obliged to become Christians. In the marriage relation they have been kind and considerate as husbands and fathers. The adoption of Christianity has not only been beneficial in the matter of marriage, but also in the obtaining of a godfather, who thereafter has befriended his godson. All of the Chinese who have obtained importance in the Philippines have been Christians; their baptism was their initiation into power. It can not be said, however, that they have really abandoned their own religion, but they tolerate Christianity in their families.

Furthermore, the Chinese is very superstitious, and although he invokes his divinities when he worships, even when he has become a Christian, nearly all of them have a certain respect for the Virgin of Antipolo, and many of them join in pilgrimages to her shrine and to

the shrine of the Virgin of Guadalupe for the purpose of dedicating candles to them in the Christian festivals.

There is another curious thing, that, in a certain place in the suburbs, there were many Chinese not Christians who maintained in turn the illumination of the Catholic image because, according to tradition, a Chinese who maintained this light once won the capital prize in the Philippine lottery.

The occupations of the Chinese may be generally classified as follows: (1) Wholesale merchants; (2) retail merchants, silk merchants, shoemakers, druggists, indigo manufacturers, soap makers, barbers, blacksmiths, carpenters, and dealers in notions; (3) water carriers, boatmen, cooks, and dealers in firewood; (4) workmen and servants. Under the Spanish régime, those of the first class paid a tax of $10 a month, those of the second $4, those of the third $2, and those of the fourth $1. The Chinese are very expert in the business of money changing, and they speculate in the different sorts of coin in circulation. A profit of 1 per cent is sufficient inducement for a Chinese to devote all his energies to this one business, and the Spaniards unjustly accuse him of being responsible for the monetary crisis which existed in Manila from 1855 to 1861, and in the year 1876.

The business of trading in rice is very profitable to the Chinese, and they are especially adapted to it, both in its importation and in the coastwise trade and in dealing in it at retail. They also classify with great skill foreign rice, procuring a large portion of the rice which is common in Saigon. They whiten it and sort the grain, mix it with superior classes, and sell it, thus making good profit.

They buy up hemp with great diligence, especially in Albay, Leyte, Cebu, Camiguin, Misamis, Marinduque, and nearly always get the better of other buyers who are not Chinese.

Indigo, sugar, coffee, tobacco, dyewood, mother-of-pearl, tortoise shell, shellac, and elemi gum are other products of the country from which the Chinese derive profits by collecting them, and by the rapidity with which they sell them.

The Spanish administration also gave them the right to farm out the provincial taxes and other services offered for public bidding belonging to the state, such as public markets, slaughterhouse privileges, fords, the inspection of weights and measures, taxes on carts and horses, cockpits, and places for smoking opium.

Article No. 27 of the treaty made between Spain and China of October 10, 1864, signed in Tientsin, gives to the Chinese all of the rights of the most favored nation. It reads as follows:

> Chinese merchant vessels, without limitation as to their number, shall have the right to go to the Philippines and do business with them, and shall be treated as those of the most favored nations. If Spain should later grant other advantages to the merchants of any other nation Chinese traders shall also enjoy them as traders of the most favored nation.

THE IMPORTANCE OF CHINESE COMMERCE IN THE PHILIPPINES.

In Isabella and Cagayan a short time before the governmental tobacco monopoly was abolished there were very few Chinese and their action in business was insignificant, and the Spanish Government paid the owners of the tobacco crops punctually.

Nevertheless, a time came in which the Spanish administration was behind in nearly all of its payments, principally in the most important ones, and the planters of these provinces were among the many victims of these delays. The Chinese then took advantage of the precarious situation by making usurious loans to those who lacked the means of realizing on their crops, thus securing the business of those fertile provinces, both by means of the capital which they advanced and in the handling and monopoly of tobacco.

Their commercial supremacy reached such a point that once they had monopolized tobacco. Almost every leaf which came to Manila from Cagayan and Isabela was their property, and they stored it in warehouses and sold it later to the factories already established in the capital at a good profit. They were not contented with the sale of tobacco in the leaf alone, but they also established factories to manufacture it, thus causing other factories which had been in operation to close up by the ruinous competition which the Chinese raised against them. As they had monopolized tobacco in the leaf, they raised the price of that commodity to a fabulous height, thus insuring the ruin of the other manufacturers, their commercial adversaries.

Nevertheless it must be mentioned that cigars made by Chinese factories soon lost credit in foreign markets through the poor workmanship and the detestable manner in which they mixed the different classes of leaves. The Chinese were not discouraged by this, and, although the sales of the products of their factories did not gain them the profits which they expected, they continued acquiring lands in the provinces mentioned, both by loaning on mortgages and by making contracts of sale in advance.

In the provinces of Ilocos and Pangasinan the Chinese, by their commercial influence, succeeded in paralyzing to a certain extent the progress which was noticeable some years before in the production of said provinces.

All the interior trade of Camarines Sur is monopolized by them, and both that province and Ilocos Sur seem for this reason to be stationary as regards the ordinary march of commerce and industry.

In Batangas the Chinese have not been able to overcome the natives in this unequal struggle for life, for, although the inhabitants of Batangas were beaten in the trade of the interior, they did not lose heart on this account and devoted themselves with great diligence to the production of coffee and sugar and to the breeding of beef cattle and swine, and the Chinese were not able to outdo them.

In Albay, also, the Chinese extended their business, especially in hemp, and were the cause, as some merchants assert, of the discredit which that valuable fiber suffered from in the markets of America and Europe by the bad faith with which they separated the different classes for which there was a demand in the foreign markets.

Since 1860 the Chinese have been prosperous in Iloilo and the island of Negros, which islands have always been of great commercial and agricultural importance, even before the Chinese came there. In Jolo, Cottabato, and Zamboanga the Chinese have also done business, both in trading with the natives of said islands and with the Philippine and Spanish troops in garrison there, and in dealing with the Moros in shells, pearls, and other valuable products. The town of Taal merits special mention, for the natives there have not allowed the Chinese to establish themselves in that town, in spite of their vigorous resistance. The Chinese were assassinated there and the criminals were never detected, for which reason the Chinese decided not to oppose the determination of the people of Taal, who carry on a comparatively prosperous commercial life without necessity for foreigners to trade in the products.

The Chinese owe much of their success in commerce to a comparative protection which can not be destroyed either by law or by any other measures which may be taken to counteract it.

In fact, they succeed everywhere in obtaining a monopoly of wholesale and retail trade, becoming, by the unity of purpose which they possess, the proprietors of mechanical arts and trades in the country. They lend each other cooperative aid, and all work together for the same end, thus forming a vast commercial society with which it is impossible for other merchants, who work separately, to compete.

Some foreign business houses established in Manila import dry goods from Europe and turn them over for prompt and certain sale to a small number of Chinese merchants, in whose power to collect the value of the merchandise they have confidence. These merchants divide the articles received among the shops of their countrymen, and also send quantities of the goods to their principal agents in the provinces, who in turn distribute them among the different Chinese who have open shops in the towns and provincial capitals. They previously mark the prices on the articles, and the shopkeepers are not allowed to reduce them under any pretext. Under this system the result is that, although there may be many Chinese establishments in one town, the same article exists, or may be secured, in all of them, and the price is uniform in high and low alike, and only follows a general rule, whether the article is plenty or scarce in the place.

When a Chinese immigrant lands in Manila, he comes under the management of a headman, who lends him $30 or more, and to whom the future merchant is directly responsible. He then begins

to work in the most laborious and humble employment, but in spite of his small compensation he is able, by force of self-denial, to save a sum sufficient to free him from the power of the headman, to whom he returns the amount advanced to him. From that time on he works on his own account, protecting and being protected by his countrymen until he accumulates sufficient capital to return to his country and there enjoy his savings for the rest of his life.

The Commission concludes that the Filipino can be depended on to develop many parts of his own country, but while this is true, it is to be said that there are extensive areas in Luzon, Mindoro, Mindanao, Palawan, and other islands which are either peopled by wild tribes or are uninhabited. In many instances these regions are covered with magnificent timber; in some cases mineral deposits of great wealth lie within their limits, and as a rule their soil is extremely fertile. It is quite out of the question to depend on their sparse and uncivilized population for labor, and since the people of these districts show little or no hostility toward the Chinese, it would seem that Chinese labor might be advantageously employed without danger of arousing opposition on the part of the inhabitants or in any way prejudicing their interests.

In the regions inhabited by the civilized natives sentiment toward the Chinese varies considerably in different provinces and islands. Where it is strongly hostile the Commission feels that we are bound to take it into serious consideration. And we further believe that the inhabitants of all parts of the Archipelago should be saved from the necessity of being forced to compete with Chinese labor under conditions such that they can not hope to compete with success, always provided that the legitimate economic development of the country is not thereby retarded.

On the other hand, we feel that Chinese labor might be very advantageously used in those portions of the Archipelago where, from the character of the inhabitants and their indisposition to engage in manual toil, or from the absence of inhabitants, and the well-known disinclination of the civilized native to leave his home and settle in a new region, it would not come into competition with the labor of the country.

We therefore commend to your careful consideration the question as to how, where, and for what purpose the Chinese should be allowed to enter the Archipelago.

PART XI.—PUBLIC HEALTH.

The proof taken by the commission shows that the diseases generally prevailing in the islands are the fevers, including typhoid and malarial fever, and a rather more indefinite one called "dengue." Besides these fevers, there is a group of maladies the general form of which is intestinal—diarrhea and dysentery. With the exception of a few of the less developed islands, malarial fever is not sufficiently prevalent to be a serious menace to the public health. Both diarrhea and dysentery affect Europeans more than natives.

There have been among our soldiers several very sudden deaths from dysentery.

"Beriberi" is prevalent among the islands, but so far has been confined entirely to the natives during our occupation, but formerly it has attacked Spaniards. It appears in several forms—in what is known as the œdematous form, in which the person's body becomes swollen and dropsical. Then, in the paralytic form, in which the loss of power in the legs and arms is the chief symptom. Then, the mixed form, where both are combined. The most fatal form of the disease is probably the œdematous form. It runs a chronic course, lasts days, weeks, or even months, but rarely acute. It has been believed that the disease has to do with unfavorable hygienic conditions, particularly with conditions of squalor, and conditions under which the food is improper in kind and insufficient in amount, and it seems clear that proper food and good surroundings diminish the danger of the disease. It attacks especially persons in the prime of life, apparently in the best physical condition. Persons under 40 are the ones generally attacked. Among the natives it is undoubtedly a very serious disease. It is apparently constantly present. It has been met in the hospitals at Manila, and an outbreak in Cavite shows that it may assume alarming proportions, but it is apparently a disease Europeans need fear very little if conditions of hygiene are favorable.

The cases in the San Juan Hospital are all from Manila.

In the paralytic form there is a great deal of trouble in locomotion; and in the final stages of some of these wasting diseases there is also dropsy.

Tuberculosis is very common among the natives.

Leprosy is common in Manila and at several other places in the Islands. During our stay at Manila there were usually from seventy-five to eighty-five patients at the San Rosario Hospital. It appears in a variety of forms. There are two general types of it. One is the tuberculous form, in which nodules appear under the skin, which gradually enlarge and break, and the skin and tissue just beneath are first affected, and subsequently, to the development of these nodules, the parts become enlarged and afterwards ulcerated. These ulcerations are followed by healing-scar forms, causing a peculiar deformity, and it gives a leonine expression when affecting the face. Sometimes the parts become darker than formerly, and sometimes there is a white appearance.

The other form affects the nerves and causes loss of sensation; that may also be attended by the development of these nodules. It is a condition of rotting away, often causing loss of members.

The climate is interesting on account of the continuity of the heat rather than any extreme. That has advantages and disadvantages to Americans. There is very little danger of catching cold from sudden depression—less than in America. On the other hand, the continuous heat is very trying and enervating, and will probably prove to be so on Americans. It interferes with the process of digestion, and unless one be particularly prudent with regard to food, the time and place of taking, etc., he is sure, sooner or later, to have an attack of stomach trouble. The climate, with other conditions, seems to affect Americans, especially with regard to assimilation. People who have lived here a long time gradually grow pale. Of course there are exceptions—there are those who retain their vigor. Those who are familiar with the climate tell us anæmia is one of the common complaints in the Philippines and in similar climates.

With regard to actual heat stroke, it is apparently uncommon, while heat prostration is relatively common. The continual heat undoubtedly predisposes one to diarrheal diseases.

It might be interesting, perhaps, to speak of what we consider the best mode of living for Americans or Europeans—what they shou d do to keep their health.

In the matter of wearing apparel, it is probably best to wear very light woolen next the skin. The abdominal band is necessary for perhaps 50 per cent of the Anglo-Saxons. One can try to do without it, but if he develops diarrhea the best thing to do is to wear it. He may get along by wearing it at night, when the body is more exposed, but generally commencing then it becomes necessary to wear it during the day. Having light woolen garments next the skin, it is important to wear as light clothes as possible, and the Americans have adopted a very suitable suiting in khaki and drill.

He should take pains never to become chilled and to look out for changes in the temperature. If the weather turns cool after several days of extreme heat, he should change his clothing accordingly, and it is probably wisest in the middle of the day to dress more lightly than in the morning and evening.

With regard to baths, a great many people make the mistake of taking cold baths when they are not able to bear them. Bathing is essential, at least one bath a day, but some people, although strong and vigorous, may not be able to bear one cold bath a day at the temperature of Manila water. If after the bath the individual has clammy skin and feels depressed, has redness of the eyes and otherwise out of sorts, it would be well to order warm water and bathe the spine. One should never bathe when very hot; that is, if he comes in tired and warm it is unwise to take a bath at that time. Nor should he bathe on a full stomach, but should take his bath on rising if he is vigorous, but if one does not recuperate rapidly afterwards it would be better to take a sponge bath in the afternoons or at 11 o'clock in the morning.

With regard to the diet of Americans coming here, great care should be exercised if they wish to remain well. Too meager and too free a diet are equally bad. Probably the majority of Americans make the mistake of overeating—of eating too much meat and too largely of vegetables. The probability is that a breakfast of eggs and toast, a small steak or chop, with one cup of coffee, tea, or chocolate, would be good. The midday meal should be light in this climate, although many take the principal meal in the middle of the day. However, we are of the opinion it would be better to take the principal meal at night, the midday one to consist of cold meat, rice, fruit, and so on, but not a very hearty meal, especially if work has to be done in the afternoon. The principal meal will then be at night, and should not consist of too many courses. Much coffee and much strong tea is to be avoided by Anglo-Saxons. Most English people here take as a stimulant whisky and soda, generally Scotch whisky. Most people who drink drink too much. A man who could with impunity take several drinks in a day at home would suffer if he attempted the same thing here.

There is a custom prevailing in Manila of keeping within doors from 12 to 3 p. m., which is universally commended. It is doubtful whether the white race could work in the sun.

Our Government should pay close attention to the public sanitation, water supply, drainage, removal of excrement, quarantine, and make a special study of the tropical diseases. During the rainy season—July, August, and September—there is more dysentery and less malarial fever. Dengue is not malaria: the blood of patients suffering with dengue does not contain any variety of malarial parasites.

We quote the following from the testimony of Dr. L. F. Barker, of

the Johns Hopkins University, to whom, and to his associate, Dr. Simon Flexner, now of the University of Pennsylvania, we are indebted for valuable testimony:

There is one point with regard to the health of the soldiers at present and with regard to the mode of living. Something is wrong, judging from the patients who come into the hospital. Whether it is a matter of diet, whether the ration is right or not, or what is the cause of the lowering of resistance of the large number of soldiers is a matter which merits close investigation. No matter from what disease an individual suffers in the hospital he nearly always shows signs of nonnutrition. We notice it particularly in the mouths of the patients. A large number have foul tongues, and a large number have erosions about the teeth, raw gums, etc. Part of that can be attributed to lack of opportunity for proper cleansing of the mouth, but I am inclined to think there must be some special reason, because no matter how carefully you take care of the mouth, if subject to bad influences, these abrasions in the mouth will occur. It became so noticeable in examining patients in the hospital here that I asked one of the assistant surgeons to make a systematic examination of his wards, and he did so; went through opening the mouths of all the patients, and he told me that fully 90 per cent of the patients had this condition of the gums. I asked the individuals themselves the cause of it. They attributed it to the ration, rightly or wrongly, I do not know. It would seem probable that the ration of the soldier in this climate should differ from the ration of the soldier in temperate climates.

Questions touching sanitation should receive immediate attention. There are in these islands about 8,000,000 people. There is one city of 250,000, and there are 30 with over 20,000, and 109 with over 10,000. With the exception of Manila and a few of the other larger cities, very little attention has been paid to hygiene. In this connection we call attention to a carefully prepared paper on the subject of sanitation, from the pen of Dr. Henry F. Hoyt, Major and Chief Surgeon, United States Volunteers, who is now stationed in the Philippines, for which see Exhibit IX.

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Exhibit I.

THE PRELIMINARY REPORT OF THE COMMISSION.

To the President.

Sir: The undersigned commissioners appointed by you to investigate affairs in the Philippine Islands and to report the result of their investigations, together with such recommendations as might in their judgment be called for by the conditions which should be found to exist in these islands, have the honor to submit the following preliminary statement in compliance with your request:

BUSINESS OF THE COMMISSION.

During all its stay in Manila the commission was engaged in hearing the statements of leading and prominent men—bankers, lawyers, railroad men, shipowners, capitalists, educators, and, in fact, men of all classes—as to all the topics of interest in the islands.

In nationality these persons were Spanish, English, German, American, Austrian, and natives of the islands. Almost every subject touching the islands was fully and systematically gone into: Government, law, currency, the Chinese question, education, mines, railroads, commerce, public lands, church property, agriculture, forestry, meteorology, etc. The opinions of the witnesses were freely taken as to the capability of the Filipinos for self-government, as to the form of government which would best suit them, as to their habits, customs, condition, and intelligence. The commission also assisted in establishing municipal governments in many towns, reference to which will hereafter be made.

In addition the commission received a great number of papers and communications on many pending questions.

These interviews were taken down in shorthand, and they and the papers above mentioned will form a part of our final report.

The members of the commission mingled freely with the native and foreign society at Manila and at other points which were visited, and sought in that mode to acquire information.

Books and newspapers were freely consulted.

Under proper heads, the views of the commission as derived from the sources stated will be hereafter set out in full.

AN HISTORICAL SKETCH.

Prior to 1896, divers rebellions had broken out against Spanish rule, but at this time we are chiefly concerned with the one which occurred in that year. This movement was in no sense an attempt to win independence, but was merely an effort to obtain relief from abuses

which were rapidly growing intolerable. The reforms demanded are set forth in a proclamation by one of the insurgent leaders. They were as follows:

1. Expulsion of the friars and restitution to the townships of the lands which the friars had appropriated. Dividing the incumbencies held by them, as well as the Episcopal sees, equally between peninsular and insular secular priests.

2. Spain to concede to the Filipinos parliamentary representation, freedom of the press, toleration of all religious sects, laws common with hers, and administrative and economic autonomy.

3. Equality in treatment and pay between peninsular and insular civil servants.

4. The restitution of all lands appropriated by the friars to the townships or to the original owners, or in default of finding such owners to put them up at public auction in small lots of a value within the reach of all, and payable within four years.

5. Abolition of the Government's authority to banish citizens, as well as all unjust measures against Filipinos, legal equality for all persons, whether peninsular or insular, under the civil as well as the penal code.

It must be admitted that there were good grounds for demanding these reforms. On paper the Spanish system of government was tolerable, but in practice every Spanish governor did what he saw fit, regardless of the law. The Spaniards themselves acknowledged the existence of wrongs, but they were powerless to correct them. Spain did nothing to quiet the Filipino people, and granted nothing which justice demanded. The press was under strict censorship and supported and applauded whatever the Spaniards did, and the evil deeds of men in the Government were hidden in order not to hurt the prestige of Spain.

A powerful adjunct to the revolutionary movements was the Katipunan Society. This order was patterned on the Masonic order. It was a secret society, and had about four hundred thousand members, who were in the main residents of the Tagalog provinces and of the valley of the Pasig River. In Manila and this valley there were eighty thousand members. After the discovery of the existence of this society there were many arrests and executions.

The war was finally terminated by the

TREATY OF BIAC-NA-BATO.

This celebrated treaty was signed December 14, 1897. At that time nearly all the Filipino forces from Cavite, Bulacan, and elsewhere were concentrated at Biac-Na-Bato. There were a great many soldiers there, but they were badly armed. They had only about eight hundred small arms consisting of rifles, shotguns, and also a few cannon of antiquated models. Very exaggerated notions of this force were current among the Spanish troops. The idea circulated that it would require one hundred thousand men to take the position. So the Governor-General, Primo de Rivera, concluded that it would be better to resort to the use of money. It was agreed by Governor-General Primo de Rivera that certain concessions should be made by the Spaniards, among which were representation in the Cortez of Spain, the sending away of the friars—which was the principal question—the right of association, and a free press.

Primo de Rivera stated that he had authority from Madrid to give two million dollars Mexican, if necessary, in order to bring about a cessation of hostilities; the amount agreed upon, however, as acceptable to the Filipinos was one million two hundred thousand dollars. This money was to be paid when Aguinaldo and his cabinet and his leading officers arrived in Hongkong. No definite time was fixed during which these men were to remain away from the Philippines; and if the promises made by Spain were not fulfilled they had the right to return.

It appears that Paterno, who served as mediator, only offered Aguinaldo four hundred thousand dollars. Two hundred thousand dollars was paid to Aguinaldo when he arrived in Hongkong. The balance of the money was to be paid when the Filipinos had delivered up their arms. The whole arrangement was not acceptable to the people. They were angry because a matter of business had been made of the revolution, and they had no confidence in the Spaniards.

As a matter of fact these promises were never carried out. The civil guard began to whip and to shoot and abuse the people as before; and it is stated that in the Province of Manila more than two hundred men were executed. As a direct result of these further abuses sporadic uprisings occurred in several provinces of Luzon, but they had nothing of the coherence or strength of the original movement, being attempts to avenge particular wrongs rather than efforts to secure general reform. The straggling and numerically insignificant insurgent forces lacked arms, ammunition, and leaders. Spain disbanded her volunteer Filipino militia and prepared to send her regular troops home. The treaty of Biac-Na-Bato had ended the war, which, with the exception of an unimportant outbreak in Cebu, had been confined to Luzon, Spain's sovereignty in the other islands never having been questioned and the thought of independence never having been entertained.

While the country was in this condition, General Augustine came to Manila as Governor-General. He had been there but a short time before hostilities broke out between Spain and the United States. He wished the Filipinos to unite in defense of Spain. He took measures to organize the militia forces; he called in the insurgents who had laid down their arms after the treaty of Biac-Na-Bato, and asked them if they wished to defend Spain against America. The Governor-General promised that if the Filipinos would defend Spain against America complete autonomy would be given to them. He also formed a consultative cabinet, which was composed of Spanish officials and twelve or fourteen Filipinos appointed by him; but his plan met with little success, because the Filipinos did not trust the promises of Spain, which were completely discredited.

Then came the 1st of May, 1898, and the destruction of the Spanish fleet by Admiral Dewey. This event caused a great loss of prestige to the Spaniards. Finally, on May 19, Aguinaldo came.

The following memorandum on this subject has been furnished the commission by Admiral Dewey:

MEMORANDUM OF RELATIONS WITH AGUINALDO.

On April 24, 1898, the following cipher dispatch was received at Hongkong from Mr. E. Spencer Pratt, United States consul-general at Singapore:

"Aguinaldo, insurgent leader, here. Will come Hongkong; arrange with commodore for general cooperation insurgents, Manila, if desired. Telegraph.

"PRATT."

On the same day Commodore Dewey telegraphed Mr. Pratt, "Tell Aguinaldo come soon as possible," the necessity for haste being due to the fact that the squadron had been notified by the Hongkong Government to leave those waters by the following day. The squadron left Hongkong on the morning of the 25th and Mirs Bay on the 27th. Aguinaldo did not leave Singapore until the 26th, and so did not arrive in Hongkong in time to have a conference with the admiral.

It had been reported to the commodore as early as March 1, by the United States consul at Manila and others, that the Filipinos had broken out into insurrection against the Spanish authority in the vicinity of Manila, and on March 30 Mr. Williams had telegraphed, "Five thousand rebels armed in camp near city. Loyal to us in case of war."

Upon the arrival of the squadron at Manila it was found that there was no insurrection to speak of, and it was accordingly decided to allow Aguinaldo to come to Cavite on board the *McCulloch*. He arrived with thirteen of his staff on May 19, and immediately came on board the *Olympia* to call on the commander in chief, after which he was allowed to land at Cavite and organize an army. This was done with the purpose of strengthening the United States forces and weakening those of the enemy. No alliance of any kind was entered into with Aguinaldo, nor was any promise of independence made to him then or at any other time.

Shortly afterwards the Filipinos began to attack the Spanish. Their number was rapidly augmented by the militia who had been given arms by Spain, all of whom revolted and joined the insurgents. Great Filipino successes followed, many Spaniards were taken prisoners, and, while the Spanish troops now remained quietly in Manila, the Filipino forces made themselves masters of the entire island except that city.

On the arrival of the troops commanded by General Anderson at Cavite, Aguinaldo was requested by Admiral Dewey to evacuate that place, and he moved his headquarters to the neighboring town of Bacoor. Now for the first time arose the idea of national independence. Aguinaldo issued a proclamation in which he took the responsibility of promising it to his people on behalf of the American Government, although he admitted freely in private conversation with members of his cabinet that neither Admiral Dewey nor any other American had made him any such promise. He had already declared himself dictator and surrounded himself with a cabinet. The landing of American troops at Parañaque on July 15 so exasperated the revolutionary leader that he wished to attack at once, but was deterred by lack of arms and ammunition. He finally decided to await until the fall of Manila, enter the city with the American troops, secure the arms of the Spanish soldiers, if possible, and then make his attack. Meanwhile he sent orders to the neighboring towns for a passive resistance, and for the placing of all possible obstacles in the way of the American troops.

The second expedition went into camp, the front toward Manila and about one hundred yards from the coast near the place of landing; the camp was called "Camp Dewey." At the time of the landing the Filipinos maintained a line from a point on the coast about five miles south of Manila and three miles north of Camp Dewey eastward, and turning to the north, with headquarters at Parañaque, three miles in the rear of Camp Dewey. Our troops immediately threw out a line of outposts extending from the coast around the camp and eastward to Pasay and beyond.

Upon landing and joining the troops at Camp Dewey, Brigadier-General Anderson, the ranking brigadier-general, assumed command of the division. Shortly afterwards, upon the arrival of General Merritt, the insurgents were notified that our troops intended to commence operations against Manila, and would establish a line of works com-

mencing at the base and extending east in front of the outposts then maintained by them. This movement was not received kindly by the Filipinos, but on the establishment of our line on their front they gradually retired. There were no conferences between the officers of the Filipinos and our officers with a view of operating against the Spaniards, nor was there any cooperation of any kind between the respective forces, and the relations between the two forces were strained from the beginning. Upon our landing they furnished our forces no protection nor support. The natives objected to our establishing camps, and were only quieted by the assurance that the United States would pay for all the damage done and for all wood and other articles consumed. There never was any preconcerted operation, or any combined movement by the United States and the Filipinos against the Spaniards. When the city of Manila was taken on August 13, the Filipinos took no part in the attack, but came following in with a view of looting the city and were only prevented from doing so by our forces preventing them from entering. Aguinaldo claimed that he had the right to occupy the city; he demanded of General Merritt the cession of the Palace of Malacañan for himself, and the cession of all the churches of Manila, Paco, and Ermita, and also that a part of the money which was taken from the Spaniards as spoils of war should be given up, and above all that he be given the arms of the Spanish prisoners. This confirms the statement already made that he intended to get possession of these arms for the purpose of attacking us. All these demands were refused.

After the taking of Manila the feeling between the Americans and the insurgents grew worse day by day. All manner of abuses were indulged in by the insurgent troops, who committed assaults and robberies, and under the order of General Pio del Pilar even kidnaped natives who were friendly toward the Americans and carried them off into the mountains or killed them. In the interest of law and order it became necessary to order the Filipino forces back, and this order made them angry. Aguinaldo removed his seat of government to Malolos, where the so-called Filipino congress assembled. The anti-American feeling was steadily nourished by the Filipino newspapers, which were directed to foster it. At this time Sandico began to establish what were called "popular clubs" in Manila and the neighboring villages and towns. Ostensibly they were intended to promote social intercourse and the instruction of the people; their actual object was to provoke bitterness toward the Americans. Their influence was far-reaching, and from their membership was recruited later on the local militia, which was to attack us from within Manila while the regular insurgent troops attacked us from without.

On the 21st of September a significant decree passed the Filipino congress imposing military service on every male over 18 years of age, excepting those holding government positions. In every carriage factory and blacksmith shop in Manila bolos (knives) were being made.

It is in proof before us that Aguinaldo was urged at this time to make some immediate determination in regard to the settlement of affairs with the Americans. At this time we were about to discuss the future of the Philippines in Paris, and many of the leading Filipinos believed that America would abandon this country. It was made plain to Aguinaldo that it was not enough for the Filipinos to desire America to stay in the islands, but that it would be desirable for them to show America that it would be to her interest to keep the country. Aguinaldo was

advised to write President McKinley and ask what desires he had about the country and what form of government he wished to establish, and to ask him not to abandon the Filipinos. This view was accepted not only by the government, but by many members of the Filipino congress. There was, however, considerable opposition, especially from Paterno, Mabini, and Sandico. While it seemed to appear that the sovereignty of America was acceptable to Aguinaldo, still he was always urging the military men to prepare for war. The cabinet at Malolos decided to send to the President of the United States the propositions above mentioned, but Aguinaldo did not wish to do so. He first stated that he desired to translate them into Tagalog, and afterwards that he wished to put them into cipher, and so delayed the sending of them.

Danger signals now multiplied. Aguinaldo endeavored to get the war-making power transferred from congress to himself. He also urged a heavy bond issue to secure one million dollars for the purchase of arms and ammunition. It is now known that elaborate plans had been perfected for a simultaneous attack by the forces within and without Manila. The militia within the city numbered approximately ten thousand; they were armed for the most part with bolos. General Pio del Pilar slept in the city every night. No definite date had been set for the attack, but a signal by means of rockets had been agreed upon, and it was universally understood that it would come upon the occurrence of the first act on the part of the American forces which would afford a pretext; and in the lack of such act, in the near future at all events. Persistent attempts were made to provoke our soldiers to fire. The insurgents were insolent to our guards and made persistent and continu ous efforts to push them back and advance the insurgent lines farther into the city of Manila. It was a long and trying period of insult and abuse heaped upon our soldiers, with constant submission as the only means of avoiding an open rupture. The Filipinos had concluded that our soldiers were cowards and boasted openly that we were afraid of them. Rumors were always prevalent that our army would be attacked at once. With great tact and patience the commanding general had held his forces in check, and he now made a final effort to preserve the peace by appointing a commission to meet a similar body appointed by Aguinaldo and to "confer with regard to the situation of affairs and to arrive at a mutual understanding of the intent, purposes, aims, and desires of the Filipino people and of the people of the United States." Six sessions were held, the last occurring on January 29, six days before the outbreak of hostilities. No substantial results were obtained, the Filipino commissioners being either unable or unwilling to give any definite statements of the "intent, purposes, and aims of their people." At the close of the last session they were given full assurances that no hostile act would be inaugurated by the United States troops.

The critical moment had now arrived. Aguinaldo secretly ordered the Filipinos who were friendly to him to seek refuge outside the city. The Nebraska regiment at that time was in camp on the east line at Santa Mesa, and was guarding its front. For days before the memorable 4th of February, 1899, the outposts in front of the regiment had been openly menaced and assaulted by insurgent soldiers; they were attempting to push our outposts back and advance their line. They made light of our sentinels and persistently ignored their orders.

On the evening of the 4th of February, an insurgent officer came to the front with a detail of men and attempted to pass the guard on the

San Juan Bridge, our guard being stationed at the west end of the bridge. The Nebraska sentinel drove them back without firing, but a few minutes before 9 o'clock that evening a large body of insurgent troops made an advance on the South Dakota outposts, which fell back rather than fire. About the same time the insurgents came in force to the east end of the San Juan Bridge, in front of the Nebraska regiment. For several nights prior thereto a lieutenant in the insurgent army had been coming regularly to our outpost No. 2, of the Nebraska regiment, and attempting to force the outpost back and insisting on posting his guard within the Nebraska lines; and at this time and in the darkness he again appeared with a detail of about six men and approached Private Grayson, of Company D, First Nebraska Volunteers, the sentinel on duty at outpost No. 2. He, after halting them three times without effect, fired, killing the lieutenant, whose men returned the fire and then retreated. Immediately rockets were sent up by the Filipinos, and they commenced firing all along the line.

The story of the actual fighting has often been told by military men who were engaged in it, and we do not deem it necessary to give a description of it here. It is known of all men that immediately after the first shot the insurgents opened fire all along their line and continued to fire until about midnight; and about 4 o'clock on the morning of February 5 the insurgents again opened fire all around the city and kept it up until the Americans charged them and drove them with great slaughter out of their trenches.

After the landing of our troops Aguinaldo made up his mind that it would be necessary to fight the Americans, and after the making of the treaty of peace at Paris this determination was strengthened. He did not openly declare that he intended to fight the Americans, but he excited everybody, and especially the military men, by claiming independence, and it is doubtful whether he had the power to check or control the army at the time hostilities broke out. Deplorable as war is, the one in which we are now engaged was unavoidable by us. We were attacked by a bold, adventurous, and enthusiastic army. No alternative was left to us except ignominious retreat. It is not to be conceived of that any American would have sanctioned the surrender of Manila to the insurgents. Our obligations to other nations, and to the friendly Filipinos, and to ourselves and our flag demanded that force should be met by force. Whatever the future of the Philippines may be, there is no course open to us now except the prosecution of the war until the insurgents are reduced to submission. The commission is of the opinion that there has been no time since the destruction of the Spanish squadron by Admiral Dewey when it was possible to withdraw our forces from the islands either with honor to ourselves or with safety to the inhabitants.

CONDITION OF THE COUNTRY ON OUR ARRIVAL.

As a result of the fighting of February 4 and 5, the insurgents were everywhere driven back, and the United States forces soon occupied a line extending from Pasay, on the south, to Caloocan, on the north, and stretching out to the eastward far enough to protect the water supply of Manila.

On the night of February 22 some five hundred insurgents entered the district of the city known as Tondo, where they started a conflagration and fired on our guards. It had been planned that the local

militia should join in this attack. All the whites were to have been massacred, and certain enthusiasts had even wished to include the mestizos (people of mixed decent) in the list of the proscribed; but prompt and vigorous action on the part of Provost-Marshal-General Hughes rendered the intended uprising abortive, and no subsequent attempt was ever made.

When the commission reached Manila on March 4, the situation in the city was bad. Incendiary fires occurred daily. The streets were almost deserted. Half of the native population had fled, and most of the remainder were shut in their houses. Business was at a standstill. Insurgent troops everywhere faced our lines, and the sound of rifle fire was frequently audible at our house. A reign of terror prevailed. Filipinos who had favored Americans feared assassination, and few had the courage to come out openly for us. Fortunately, there were among this number some of the best men of the city.

THE GRADUAL CHANGE IN PUBLIC SENTIMENT.

As one result of issuing the proclamation of the commission, which is more particularly described hereinafter, the objection was raised by the insurgents that the Spaniards had promised them more than we did and had done nothing. They asked for acts. The commission was anxious to meet this very justifiable demand, and as a first step strongly urged the reestablishment of the law courts, which had been in suspension since the surrender of the city. Early in June the supreme court was reopened with five Filipino and three American justices. Courts of first instance and justice courts were established later when the difficult problem of securing suitable Filipino officials had been satisfactorily solved. This action greatly aided in the restoration of public confidence.

The flow of population soon began to set toward the city. Natives who had fled from their homes returned, while many of those outside of our lines began to clamor for admission, regarding Manila as a place of refuge to be sought, rather than, as at the time of our arrival, a danger center to be avoided. The native population nearly doubled in two weeks, and it was necessary to impose severe restrictions on immigration in order to prevent dangerous overcrowding. Among the refugees came men of intelligence from all over Luzon, and we soon gained, from competent witnesses, an accurate idea of conditions throughout the island. We learned that the strong anti-American feeling was confined to the Tagalog provinces, namely, Manila, Cavite, Laguna, Batangas, Morong, Bulacan, Nueva Ecija, Principe, Infanta, and Zambales. It was strongest in the first six named, and hardly existed in the last four. The population of these provinces is estimated to be about one million five hundred thousand, but it should not be supposed that even in the six provinces immediately adjacent to Manila the people were united in their opposition to us. Even here there was a strong conservative element, consisting of people of wealth and intelligence, opposed to the war.

THE REBELLION NOT A NATIONAL MOVEMENT.

In the remaining provinces of Luzon, the Tagalog rebellion was viewed at first with indifference and later with fear. Throughout the archipelago at large there was trouble only at those points to which

armed Tagalogs had been sent in considerable numbers. In general, such machinery of "government" as existed served only for plundering the people under the pretext of levying "war contributions," while many of the insurgent officials were rapidly accumulating wealth. The administration of justice was paralyzed and crime of all sorts was rampant. Might was the only law. Never in the worst days of Spanish misrule had the people been so overtaxed or so badly governed. In many provinces there was absolute anarchy, and from all sides came petitions for protection and help, which we were unable to give, as troops could not be spared. The feeling between the opposing armies was at this time very bitter.

When General MacArthur began the movement which ended in the taking of Malolos, the natives, at the order of General Luna, fired their towns before his advancing columns. Those who were unwilling to leave their homes were driven out by insurgent soldiers, who burned their houses. The object of this inhuman procedure was to compel the inhabitants to flee before us, and thus prevent their learning from experience that the fearful tales concerning our soldiers, with which they had been deceived, were myths. This method of procedure, eminently successful at first, in the end recoiled on its authors, provoking so much opposition that the obnoxious order was revoked. Before the commission left the Philippines, nearly all the inhabitants had returned to these ruined villages. Many of the houses had been rebuilt. Fields, that had lain fallow for three years were green with growing crops. Municipal governments had been established, and the people, protected by our troops, were enjoying peace, security, and a degree of participation in their own government previously unknown in the history of the Philippines. Attempts of the insurgents to raise recruits and money in the province of Bulacan were proving abortive, except when backed by bayonets and bullets, and even in such cases the natives were applying to us for help to resist them.

ESTABLISHMENT OF MUNICIPAL GOVERNMENTS.

It was not, however, in the province of Bulacan that the first municipal governments were established. During May and the early part of June there was a tacit truce along our south line; but later in the month the insurgents became aggressive at this point, and General Lawton took the field against them, driving them from Parañaque and Laspiñas and utterly routing them at the Zapote River. Bacoor also was occupied and the presidente of Imus came out to meet General Lawton, offering to surrender his town and asking for a garrison, which was furnished.

A visit to these towns at this time revealed a greatly changed public sentiment. The inhabitants had neither burned their homes, nor, as a rule, abandoned them, but had quietly awaited the arrival of the American troops. Those who had remained soon learned that their confidence had not been misplaced, and those who had fled speedily returned. We found their condition to be most pitiable. They had been plundered by the insurgent troops, who had robbed them of jewels, money, clothing, and even food, so that they were literally starving. Peaceable citizens had been fired on. Women had been maltreated, and there was general satisfaction that the Americans had come at last. Large quantities of food were promptly distributed among the hungry, a measure which resulted in great good.

Conditions seemed favorable for an American propaganda. The towns of Bacoor and Imus were selected for purposes of experiment, as they were notoriously the two most rebellious towns of the most rebellious province in the islands. In each place the "headmen" were called together and a frank talk was had with them. Our purposes were fully explained, and they were urged to state their own wishes. We found them thankful for the considerate treatment they had received from our troops, and willing to aid us against the insurgents, at whose hands they had suffered so severely. They seemed, however, powerless to act, on account of lack of organization, and there was a universal desire for the establishment of some form of municipal government.

Encouraged by what we saw in Bacoor and Imus, we continued our work in Parañaque and Laspiñas with similar results. On reporting the facts to General Otis he ordered General Lawton to organize these towns. At the request of the latter, and with the assistance of two able Filipino lawyers, the commission prepared a simple scheme of municipal government similar enough to the old system to be readily comprehensible to the natives, but giving them liberties which they had never before enjoyed. This scheme was adopted in its entirety by General Lawton, and at his request a member of the commission accompanied him to aid in putting it into effect.

In each town the people were called together and an election was held. The officials chosen were fully instructed as to their duties, and were advised that they must expend every cent raised by taxation in defraying local expenses. In every instance enthusiasm ran high before we took our departure, and when we left cheers were raised for General Lawton and for the country which he represented.

With a single exception, the officials elected proved worthy of the trust imposed in them, and conditions very rapidly improved in the newly organized towns, each of which soon became a center of attraction for the insurgent soldiers whose families resided within their limits. Deserters began to come in, some of them bringing their arms. Opposition to the insurgent forces grew rapidly among the peaceable natives of the province. Deputations came secretly from many important towns, begging us to advance our lines and do for them what we had done for Bacoor and Imus. This was impossible; but governments were organized with most satisfactory results in Laspiñas, Parañaque, Pandacan, Santa Ana, San Felipe Neri, and San Pedro Macati, while a slightly different system was put into effect in Malabon, Polo, Obando, Meycauyang, and Malolos. The results obtained in these latter towns have already been mentioned.

A large amount of supervision over the affairs of our new municipalities proved necessary, as the officials were timid about assuming responsibility and slow to comprehend their new duties. At many of the elections voters went in succession to the commissioner present, the military representative, and the native priest, asking whom they were expected to vote for, and it was only with great difficulty and by dint of much argument that they were persuaded to exercise the right of free suffrage.

SITUATION AT THE TIME OF OUR DEPARTURE.

When we left Manila a large volume of business was being done and the streets were so crowded as to be hardly safe. The native population was quiet and orderly and all fear of an uprising had long since

passed. An efficient corps of native policemen was on duty. A system of public schools, in which English was taught, had been advocated by the commission and established by General Otis. Some 6,000 scholars were in attendance.

In the Tagalog provinces of Luzon, where the anti-American feeling had been strongest, public sentiment had greatly changed, as evidenced by the fact that the military governor of Batangas had offered to surrender his troops and his province if we would only send a small force there. The Bicols, in southern Luzon, had risen against their Tagalog masters. The Macabebes were clamoring for an opportunity to fight in our ranks, and native soldiers and scouts were already serving under General Lawton. Stories of the corruption of insurgent officers were becoming daily more common and the disintegration of the enemy's forces was steadily progressing. The hope of assistance from outside sources seemed to be all that held them together.

CONDITIONS IN THE OTHER ISLANDS.

Should it be thought that too much attention has been paid in this preliminary report to the island of Luzon, it may be replied that the rebellion is essentially Tagalog, and that when it ends in Luzon it must end throughout the archipelago. It should, however, be mentioned that a member of the commission visited the southern islands of the archipelago and held conferences with their principal officials. The only island, apart from Luzon, where serious trouble threatens is Panay, to which a considerable force of Tagalog soldiers was sent before the outbreak of hostilities. Many of the Visayans of this island are opposed to the Tagalogs, however, and it is not believed that the latter can make a formidable resistance. In Samar, Leyte, and Masbate the Tagalog invaders are numerically few and are disliked by the natives of these islands, whom they have oppressed. We were assured that 200 men would suffice to restore order in Mindoro. Bohol was asking for troops. The Calamianes islanders had sent word that they would welcome us. There can be no resistance in Palawan. Satisfactory relations had already been established with the warlike Moros, whose sultan had previously been conciliated by a member of the commission, and in Mindanao this tribe had even taken up our cause and attacked the insurgents, of whom there are very few in the island. In Cebu we have only to reckon with the lawless element, which has never been very formidable there.

THE LESSON TAUGHT BY NEGROS.

The island of Negros is deserving of special mention. Its civilized inhabitants are exceptionally prosperous and enlightened. They had the good sense to keep out Tagalog adventurers and retain control of their own affairs, adopting for themselves a somewhat complicated form of government and electing officials and a congress. Before our arrival at Manila they had raised the American flag, sent a delegation to General Otis, and placed their island unconditionally in our hands, asking for American aid and protection. They believed themselves capable of managing their own affairs, but asked for a battalion of troops to hold in check the Babaylanes, a half-religious, half-anarchistic sect inhabiting the central mountain range, who for a number of years have plun-

dered and burned the plantations of the Spaniards and civilized natives.

The battalion of troops was furnished. The people of Negros were authorized to proceed with their experiment in government and were promised all possible aid and assistance; but they proved unable to carry out their programme, although aided by our soldiers and by the friendly advice of their commander, General Smith. They were obliged to ask for a second and finally a third battalion of troops. After the lapse of a few months they began to accuse their own officials of dishonesty, and to complain that the commander of the native forces dominated the governor. Dissatisfaction became general. Fortunately, Americans remained popular, and the better element began to ask why we did not take control and help them out of their difficulties. The people demanded a new election, believing that the trouble lay with their officials, but as the best men of the island were already in office it was evident that relief could not be had by this means. At the request of General Otis, the commission prepared a new and simplified scheme of government for the island, giving the people a large voice in their affairs, but placing an American in full control. The main features of this plan had already been explained to leading people of the island by a member of the commission in person, and their approbation secured. This system has just been put into operation. The people are satisfied and public order is better in the island to-day than at any time during the last twenty years.

The flat failure of this attempt to establish an independent native government in Negros, conducted as it was under the most favorable circumstances, makes it apparent that here, as well as in the less favored provinces, a large amount of American control is at present absolutely essential to a successful administration of public affairs.

EFFORTS AT CONCILIATION.

The efforts of the military authorities, acting under the instructions of the President, to prevent an outbreak of hostilities with the Filipinos have already been described. The fighting began while the civil members of the commission were on the way to the Philippines bearing the instructions of the President to make known to the inhabitants the peaceful and beneficent intentions of the United States. The insurgents' rash and wholly unjustifiable appeal to arms did not prevent the commission from entering upon their labors, though it greatly restricted the area of their operations. On the 4th of April they issued a proclamation, setting forth the principles by which the United States would be guided in exercising the sovereignty which Spain had ceded to us over the Philippine Islands, and assuring the people not only of their rights and privileges, but also of the largest participation in government which might be found compatible with the general welfare and reconcilable with the sovereign rights and obligations of the United States. The proclamation had a good effect in Manila and in the adjacent parts of Luzon and in the island of Negros and such other places as were open to its reception. Indeed, the public sentiment of Manila, which in March had been strongly anti-American, underwent a palpable change, and currents of peace and conciliation were set in motion until they found a response in the ranks of the insurgents themselves.

Aguinaldo sent a delegation to Manila to confer with the Commission, and while the commission steadfastly refused to discuss his proposal to suspend hostilities, as being a military matter, assurances were given of the beneficent purposes of the United States and the President's readiness to grant the Philippine peoples as large a measure of home rule and as ample liberties as were consistent with the ends of government, subject only to the recognition of the sovereignty of the United States—a point which, being established, the commission invariably refused even to discuss.

The so-called congress of Aguinaldo voted for a peaceful settlement on the basis of the commission's proclamation; and Mabini, the irreconcilable head of the so-called cabinet, was replaced by Paterno, the former mediator between the Spanish Government and Aguinaldo. But nothing came of negotiations, as Aguinaldo's emissaries were without powers, and merely came and came again for information. The courteous reception accorded to them by the commission, the fullness of the information communicated to them, the assurances of a liberal form of government when they laid down their arms, and the earnest appeals to them to stop further bloodshed in a struggle which could only end in their defeat all witness to the spirit of patient conciliation exhibited by the commission in endeavoring to reach an amicable adjustment with the insurgents and the obduracy of Aguinaldo in continuing forcible resistance and in refusing even to outline terms which might be compared with the terms offered or with the concessions which the superior power might have been willing to make. No better proof could be furnished that the primary object of this struggle is not, as is pretended, the liberty of the Philippine peoples, but the continuance of his own arbitrary and despotic power. In any event, the American people may feel confident that no effort was omitted by the Commission to secure a peaceful end of the struggle, but the opportunities they offered and urged were all neglected, if not, indeed, spurned.

CAPACITY FOR SELF-GOVERNMENT.

To what extent the Filipinos are capable of governing themselves is a problem which occupied the diligent and earnest attention of the commission for several months, in the course of which a great number of witnesses were examined. These witnesses represented all shades of political thought, all classes of the population, all varieties of occupation, and all important differences of tribe and locality. The commission also made a careful study of Spanish governmental institutions, both in Luzon and in the southern islands, as well as of the organic laws under which they were established and by which their operations were regulated and controlled. At the same time the commission, by mingling freely with the Filipinos in Luzon and other parts of the archipelago, endeavored to understand their character and aptitudes and to appreciate the needs and aspirations of the peoples for whose benefit a new system of government was to be framed.

The most striking and perhaps the most significant fact in the entire situation is the multiplicity of tribes inhabiting the archipelago, the diversity of their languages (which are mutually unintelligible), and the multifarious phases of civilization—ranging all the way from the highest to the lowest—exhibited by the natives of the several provinces

and islands. In spite of the general use of the Spanish language by the educated classes and the considerable similarity of economic and social conditions prevalent in Luzon and the Visayan Islands, the masses of the people are without a common speech and they lack the sentiment of nationality. The Filipinos are not a nation, but a variegated assemblage of different tribes and peoples, and their loyalty is still of the tribal type.

As to the general intellectual capacities of the Filipinos, the commission is disposed to rate them high; but excepting in a limited number of persons these capacities have not been developed by education or experience. The masses of the people are uneducated. That intelligent public opinion on which popular government rests does not exist in the Philippines, and it can not exist until education has elevated the masses, broadened their intellectual horizon, and disciplined their faculty of judgment. And even then the power of self-government can not be assumed without considerable previous training and experience under the guidance and tutelage of an enlightened and liberal sovereign power.

For the bald fact is that the Filipinos have never had any experience in governing themselves. The laws for the archipelago were all made in Madrid. The judges who interpreted and applied them were all sent out from Spain. And as the legislative and judicial jurisdiction over the Philippines was vested absolutely in Spain, so the executive and administrative branches of the government were, with the exception of the lowest officials, completely in Spanish hands.

It goes without saying that the governor-general was appointed by the Spanish Government. He was assisted by a council of administration, whose members were in part appointed by the Spanish Government and in part elected by the provisional juntas, which the Spanish Government controlled. Spain also appointed the governor of every province; and of the council or junta which assisted the governor only the minority of the members were elected, and these not by the people at large, but by the heads or mayors ("municipal captains") of the towns of the province. Thus it was that neither in the government of the province nor in the general government of the archipelago had the inhabitants of the Philippines any control and scarcely even a voice. Indeed, those provincial councils, for which the heads of the municipalities were permitted to elect a minority of the members, had only advisory powers in relation to the governor, whose decision in all matters was supreme, and, besides advising the governor, the councils had no other function but to inspect the administration of the affairs of the municipalities.

Even the municipal councils were, therefore, not bodies controlled by the people. In addition to constant inspection and direction from the provincial junta, every municipal council was liable to warning, admonition, fines, and suspension at the hands of the governor of the province. And to make the control from above still more effective the governor-general exercised jurisdiction over all the municipal tribunals, and was vested with power to discharge members or even the entire tribunal itself.

Even when municipal government had been thus circumscribed the masses of the people had no share in it. Suffrage was limited to the "principal people" of the town, and elections were indirect. The "principal people" were present and past officeholders and persons

paying fifty dollars land tax. The "principal people," as thus constituted, elected by ballot twelve delegates, and these elected the municipal tribunal, which actually governed the town.

This is all the training in self-government which the inhabitants of the Philippine Islands have enjoyed. Their lack of education and political experience, combined with their racial and linguistic diversities, disqualify them, in spite of their mental gifts and domestic virtues, to undertake the task of governing the archipelago at the present time. The most that can be expected of them is to cooperate with the Americans in the administration of general affairs, from Manila as a center, and to undertake, subject to American control or guidance (as may be found necessary), the administration of provincial and municipal affairs. Fortunately, there are educated Filipinos, though they do not constitute a large proportion of the entire population, and their support and services will be of incalculable value in inaugurating and maintaining the new government. As education advances and experience ripens, the natives may be intrusted with a larger and more independent share of government—self-government, as the American ideal, being constantly kept in view as the goal. In this way American sovereignty over the archipelago will prove a great political boon to the people.

Should our power by any fatality be withdrawn, the commission believe that the government of the Philippines would speedily lapse into anarchy, which would excuse, if it did not necessitate, the intervention of other powers and the eventual division of the islands among them. Only through American occupation, therefore, is the idea of a free, self-governing, and united Philippine commonwealth at all conceivable. And the indispensable need from the Filipino point of view of maintaining American sovereignty over the archipelago is recognized by all intelligent Filipinos and even by those insurgents who desire an American protectorate. The latter, it is true, would take the revenues and leave us the responsibilities. Nevertheless, they recognize the indubitable fact that the Filipinos can not stand alone. Thus the welfare of the Filipinos coincides with the dictates of national honor in forbidding our abandonment of the archipelago. We can not from any point of view escape the responsibilities of government which our sovereignty entails; and the commission is strongly persuaded that the performance of our national duty will prove the greatest blessing to the peoples of the Philippine Islands.

OUR SOLDIERS AND SAILORS IN THE WAR.

The commission is not willing to close this statement without paying just tribute to our sailors and soldiers. The presence of Admiral Dewey as a member of this body makes it unfitting to dwell on his personal achievements, but he joins with us in eulogy of his comrades. We were fortunate in witnessing some of the many brave deeds of our soldiers. All that skill, courage, and patient endurance can do has been done in the Philippines. We are aware that there are those who have seen fit to accuse our troops of desecrating churches, murdering prisoners, and committing unmentionable crimes. To those who derive satisfaction from seizing on isolated occurrences—regrettable, indeed, but incident to every war—and making them the basis of sweeping accusations, this commission has nothing to say. Still less do we

feel called upon to answer idle tales without foundation in fact. But for the satisfaction of those who have found it difficult to understand why the transporting of American citizens across the Pacific Ocean should change their nature, we are glad to express the belief that a war was never more humanely conducted. Insurgents wounded were repeatedly succored on the field by our men at the risk of their lives. Those who had a chance for life were taken to Manila and tenderly cared for in our hospitals. If churches were occupied, it was only as a military necessity, and frequently after their use as forts by the insurgents had made it necessary to train our artillery upon them. Prisoners were taken whenever opportunity offered, often only to be set at liberty after being disarmed and fed. Up to the time of our departure, although numerous spies had been captured, not a single Filipino had been executed. Such wrongs as were actually committed against the natives were likely to be brought to our attention, and in every case that we investigated we found a willingness on the part of those in authority to administer prompt justice.

THE VALUE OF THE ISLANDS.

Rich in agricultural and forest products, as well as in mineral wealth, commanding in geographical position, the Philippine Islands should soon become one of the great trade centers of the East. New steamship lines, established since the American occupation, already connect Manila with Australia, India, and Japan. She will become the natural terminus of many other lines when a ship canal connects the Atlantic with the Pacific, and yet others will inevitably be attracted by the development of the Philippine coal deposits. The building of a short railway has recently doubled the rice crop of the archipelago. It can not be doubted that under an efficient administration of domestic affairs, commerce will greatly increase, and the United States will reap a large share in this increment. Manila, with the immunity which it has thus far enjoyed from that terrible pest, the bubonic plague, should become a distributing center for China, Siam, the Straits Settlements, Tonquin, Annam, and Australia.

Our control means to the inhabitants of the Philippines internal peace and order, a guaranty against foreign aggression and against the dismemberment of their country, commercial and industrial prosperity, and as large a share in the affairs of government as they shall prove fit to take. When peace and prosperity shall have been established throughout the archipelago, when education shall have become general, then, in the language of a leading Filipino, his people will, under our guidance, "become more American than the Americans themselves."

Washington, November 2, 1899.

J. G. SCHURMAN.
GEORGE DEWEY.
CHARLES DENBY.
DEAN C. WORCESTER.

Exhibit II.

INSTRUCTIONS OF THE PRESIDENT TO THE COMMISSION.

Department of State,
Washington, January 21, 1899.

My Dear Sir: I inclose herewith a copy of the instructions which the President has drawn up for the guidance of yourself and your associates as commissioners to the Philippines.

I am, with great respect, sincerely yours,

John Hay.

Hon. Jacob G. Schurman,
The Arlington.

Executive Mansion,
Washington, January 20, 1899.

The Secretary of State:

My communication to the Secretary of War, dated December 21, 1898, declares the necessity of extending the actual occupation and administration of the city, harbor, and bay of Manila to the whole of the territory which by the treaty of Paris, signed on December 10, 1898, passed from the sovereignty of Spain to the sovereignty of the United States, and the consequent establishment of military government throughout the entire group of the Philippine Islands. While the treaty has not yet been ratified, it is believed that it will be by the time of the arrival at Manila of the commissioners named below. In order to facilitate the most humane, pacific, and effective extension of authority throughout these islands, and to secure, with the least possible delay, the benefits of a wise and generous protection of life and property to the inhabitants, I have named Jacob G. Schurman, Rear-Admiral George Dewey, Maj. Gen. Elwell S. Otis, Charles Denby, and Dean C. Worcester to constitute a commission to aid in the accomplishment of these results.

In the performance of this duty, the commissioners are enjoined to meet at the earliest possible day in the city of Manila and to announce, by a public proclamation, their presence and the mission intrusted to them, carefully setting forth that, while the military government already proclaimed is to be maintained and continued so long as necessity may require, efforts will be made to alleviate the burden of taxation, to establish industrial and commercial prosperity, and to provide for the safety of persons and of property by such means as may be found conducive to these ends.

The commissioners will endeavor, without interference with the military authorities of the United States now in control of the Philippines, to ascertain what amelioration in the condition of the inhabitants and what improvements in public order may be practicable, and for this purpose they will study attentively the existing social and political state of the various populations, particularly as regards the forms of local government, the administration of justice, the collection of customs and other taxes, the means of transportation, and the need of public improvements. They will report through the Department of State, according to the forms customary or hereafter prescribed for transmitting and preserving such communications, the results of their observations and reflections, and will recommend such executive action as may from time to time seem to them wise and useful.

The commissioners are hereby authorized to confer authoritatively with any persons resident in the islands from whom they may believe themselves able to derive information or suggestions valuable for the purposes of their commission, or whom they may choose to employ as agents, as may be necessary for this purpose.

The temporary government of the islands is intrusted to the military authorities, as already provided for by my instructions to the Secretary of War of December 21, 1898, and will continue until Congress shall determine otherwise. The commission may render valuable services by examining with special care the legislative needs of the various groups of inhabitants, and by reporting, with recommendations, the measures which should be instituted for the maintenance of order, peace, and public welfare, either as temporary steps to be taken immediately for the perfection of present administration, or as suggestions for future legislation.

In so far as immediate personal changes in the civil administration may seem to be advisable, the commissioners are empowered to recommend suitable persons for appointment to these offices from among the inhabitants of the islands who have previously acknowledged their allegiance to this Government.

It is my desire that in all their relations with the inhabitants of the islands the commissioners exercise due respect for all the ideals, customs, and institutions of the tribes which compose the population, emphasizing upon all occasions the just and beneficent intentions of the Government of the United States. It is also my wish and expectation that the commissioners may be received in a manner due to the honored and authorized representatives of the American Republic, duly commissioned on account of their knowledge, skill, and integrity as bearers of the good will, the protection, and the richest blessings of a liberating rather than a conquering nation.

WILLIAM MCKINLEY.

Exhibit III.

LETTERS BROUGHT BY ARGUELLES TO THE COMMISSION.

San Isidro, *April 29, 1899.*

Honorable Gentlemen: The Philippine people, through its government, makes known to the Commission that it has not yet lost its confidence in the friendship, justice, and magnanimity of the North American nation.

It feels itself weak before the advance of the American troops, whose valor it admires, and in view of the superiority of their organization, discipline, fighting material, and other resources, does not feel humiliated in soliciting peace, invoking the generous sentiments of the Government of the North American people, worthily represented by the Commission, and the sacred interests of humanity.

But the Philippine government, fully convinced that it has not provoked war, and that it has only employed its arms in defense of the integrity of its native land, asks for a suspension of hostilities and a general armistice in all the Archipelago for the short time of three months, in order to enable it to consult the opinions of the people concerning the government which would be most advantageous, and the intervention in it which should be given to the North American government, and to appoint an extraordinary commission with full powers to act in the name of the Philippine people.

The welfare of this unfortunate country and the triumph of the governing party in the United States of America depend upon the prompt establishment of peace. We confess ourselves weak, but we still possess resources—above all, the unfaltering resolution to prolong the war for an indefinite space of time, if the undertaking to dominate us by force is persisted in.

In laying before the Commission the preceding statements I believe that I interpret the sentiments of my President and his government, and those of the Philippine people.

I salute the Commission with the greatest respect.

Your most obedient servant,

[seal.] Ap. Mabini.

The members of the Philippine government have commissioned Col. Manuel Arguelles to present and explain to the North American Commission to the Philippines the following points:

First. The Philippine government finds itself compelled to negotiate an armistice and a suspension of hostilities as an indispensable means

of arriving at peace: In the first place, in order to justify itself before its people as having employed all the means in its power to avoid the ruin of the country, and, in the second place, to offer to the Commission a means of putting an end to the war in a manner most honorable to the American Army and most glorious to the government of the United States.

Second. It does not solicit the armistice to gain a space of time in which to reenforce itself, nor does it expect aid from Japan nor from any other nation, as no government up to the present time has recognized its belligerency, nor is disposed to injure its relations with powerful America, especially as there is nothing to be gained thereby. The Philippine government earnestly desiring the felicity of its people, while it is still in pursuit of independence, would not insist upon fighting for its ideal if the Philippine people through its accredited representatives should ask for peace and accept autonomy.

Third. The interests of humanity are at present in harmony with those of the North American government, and both ask for a brief space of time, however short, in which the Philippine people may reflect upon their sad situation and may understand the bases of the autonomy which is offered to them.

Fourth. If, however, this last recourse is denied it, no one can blame the Philippine government for the tenacity which it may show. The honor of the army and the happiness of the country will then determine the only line of conduct for it to pursue, namely, to prolong the struggle until it reaches the end of its resources. This prolongation of the struggle would be fatal to both peoples.

Let the Commission reflect, then, while there is time, that if the war is converted into a national war it would be very difficult to keep it within bounds.

In that case peace would mean the annihilation of the Philippine people or that of the imperialistic party of America.

San Isidro, May 1, 1899.

AP. MABINI.

(Lead pencil note.) If this is refused, notify them that a move will be made for foreign intervention upon the grounds of commercial interests, which are seriously prejudiced by the prolongation of the war, and that a manifesto will be published making known to the world the reasons for the war.

Exhibit IV.

THE CONSTITUTION OF THE SO-CALLED PHILIPPINE REPUBLIC.

POLITICAL CONSTITUTION.

PRESIDENCY OF THE REVOLUTIONARY GOVERNMENT OF PHILIPPINES.

Don Emilio Aguinaldo y Famy, *President of the Revolutionary Government of Philippines and Captain-General and Commander in Chief of the Army.*

Know all Philippine citizens: That the assembly of representatives of the nation, using its sovereignty, has decreed, and I have sanctioned, the political constitution of the estate.

Therefore I command all the military and civil authorities of any class or rank to keep it and cause it to be kept, complied with, and executed in all its parts, because it is the sovereign will of the Philippine people.

Done at Mololos on the 21st day of January in the year eighteen hundred and ninety-nine.

Emilio Aguinaldo.

The President of the Council:
Apolinario Mabini.

We, the representatives of the Philippine people, lawfully invoked, in order to establish justice, provide for common defense, promote general welfare, and insure the benefits of freedom, imploring the aid of the Sovereign Legislator of the Universe in order to attain these purposes, have voted, decreed, and sanctioned the following—

POLITICAL CONSTITUTION.

First Title.

THE REPUBLIC.

Article 1. The political association of all the Filipinos constitutes a nation, the estate of which is denominated Philippine Republic.

Art. 2. The Philippine Republic is free and independent.

Art. 3. Sovereignty resides exclusively in the people.

SECOND TITLE.

THE GOVERNMENT.

ART. 4. The government of the republic is popular, representative, alternative and responsible, and is exercised by three distinct powers, which are denominated legislative, executive and judicial. Two or more of these powers shall never be vested in one person or corporation; neither shall the legislature be vested in one individual alone.

THIRD TITLE.

RELIGION.

ART. 5. The state recognizes the equality of all religious worships and the separation of the church and the state.

FOURTH TITLE.

THE FILIPINOS AND THEIR NATIONAL AND INDIVIDVAL RIGHTS.

ART. 6. The following are Filipinos:

1. All persons born in Philippine territory. A vessel flying the Philippine flag shall, for this purpose, be considered a portion of the Philippine territory.
2. The offspring of a Filipino father and mother although born outside the Philippine territory.
3. Foreigners who have obtained certificates of naturalization.
4. Those who, without it, may have gained "vecindad" (residence) in any town of the Philippine territory.

It is understood that residence is gained by staying two years without interruption in one locality of the Philippine territory, having an open abode and known mode of living and contributing to all the charges of the nation.

The nationality of the Filipino is lost in accordance with the laws. (S. C. C., 1st Title, 1st Art.; S. C., 1st Title, 1st Art.)

ART. 7. No Filipinos nor foreigner shall be arrested nor imprisoned unless on account of crime, and in accordance with the laws. (S. C., 4th Art.)

ART. 8. Any person arrested shall be discharged or delivered over to the judicial authority within twenty-four hours following the arrest. (S. C., 4th art.)

Any arrest shall be held without effect or shall be carried to commitment within seventy-two hours after the detained has been delivered over to a competent judge.

The party interested shall receive notice of the order which may be issued within the same time. (S. C., 4th art.)

ART. 9. No Filipino can become a prisoner unless by virtue of the mandate of a competent judge.

The decree by which may be issued the mandate shall be ratified or confirmed, having heard the presumed criminal within seventy-two hours following the act of commitment. (S. C., 5th art.)

ART. 10. No one can enter the domicile of a Filipino or foreign resident in the Philippines without his consent, except in urgent cases

of fire, flood, earthquake, or other similar danger, or of unlawful aggression proceeding from within or in order to assist a person within calling for help.

Outside of these cases, the entrance in the domocile of a Filipino or foreign resident of the Philippines and the searching of his papers or effects can only be decreed by a competent judge and executed during the day.

The searching of the papers and effects shall take place always in the presence of the party interested or of an individual of his family, and, in their absence, of two resident witnesses of the same place.

Notwithstanding, when a delinquent may be found, in "*flagranti*" and pursued by the authority with its agents, may take refuge in his domicile, he may be followed into the same only for the purpose of apprehension.

If he should take refuge in the domicile of another, notification to the owner of the latter shall precede. (S. C., 6th art.)

ART. 11. No Filipino can be compelled to make change of his domicile or residence unless by virtue of an executive sentence. (S. C., 9th art.)

ART. 12. In no case can there be detained nor opened by the governing authority the correspondence confided to the post-office, nor can that of the telegraph or telephone be detained.

But, by virtue of a decree of a competent judge, can be detained any correspondence and also opened in the presence of the accused that which may be conveyed by the post-office. (S. C., 7th art.)

ART. 13. Any decree of imprisonment, of search of abode, or of detention of the correspondence written, telegraphed, or telephoned, shall be justified.

When the decree may fall short of this requisite, or when the motives in which it may be founded may be judicially declared unlawful or notoriously insufficient, the person who may have been imprisoned, or whose imprisonment may not have been ratified within the term prescribed in art. 9, or whose domicile may be forcibly entered, or whose correspondence may be detained, shall have the right to demand the responsibilities which ensue. (S. C., 8th art.)

ART. 14. No Filipino shall be prosecuted nor sentenced, unless by a judge or tribunal to whom, by virtue of the laws which precede the crime, is delegated its cognizance, and in the form which the latter prescribe. (S. C., 16th art.)

ART. 15. Any person detained or imprisoned, without the legal formalities, unless in the cases provided in this constitution, shall be discharged upon their own petition or that of any Filipino.

The laws shall determine the form of proceeding summarily in this case, as well as the personal and pecuniary penalties incurred by him who may order, execute, or cause to be executed, the illegal detention or imprisonment.

ART. 16. No person shall be deprived temporarily or permanently of his property or rights, nor disturbed in the possession of them, unless by virtue of a judicial sentence. (S. C., 10th art.)

Those functionaries who under any pretext infringe this provision shall be personally responsible for the damage caused.

ART. 17. No person shall be deprived of his property unless through necessity and common welfare, previously justified and declared by

the proper authority, providing indemnity to the owner previous to the deprivation. (S. C., 10th art.)

ART. 18. No person shall be obliged to pay contribution which may not have been voted by the assembly or by the popular corporations legally authorized to impose it, and which exaction shall not be made in the form prescribed by law. (S. C., 3d art.)

ART. 19. No Filipino who may be in the full enjoyment of his civil and political rights shall be hindered in the free exercise of the same.

ART. 20. Neither shall any Filipino be deprived of:

1. The right of expressing liberally his ideas and opinions either by word or by writing, availing himself of the press or of any other similar means

2. The right of associating himself with all the objects of human life which may not be contrary to public morality; and, finally,

3. Of the right to direct petitions, individually or collectively, to the public powers and to the authorities.

The right of petition shall not be exercised by any class of armed force. (S. C., 15th art.)

ART. 21. The exercise of the rights expressed in the preceding article shall be subject to the general provisions which regulate them.

ART. 22. Those crimes which are committed upon the occasion of the exercise of the rights granted in this title shall be punished by the tribunals in accordance with the common laws.

ART. 23. Any Filipino can found and maintain establishments of instruction or of education, in accordance with the provisions which are established.

Popular education shall be obligatory and gratuitous in the schools of the nation. (S. C., 12th art.)

ART. 24. Any foreigner may establish himself liberally in the Philippine territory, subject to the provisions which regulate the matter, exercising therein his industry or devoting himself to any profession in the exercise of which the laws may not require diplomas of fitness issued by the national authorities. (S. C., 12th art.)

ART. 25. No Filipino who is in the full enjoyment of his political and civil rights shall be hindered from going freely from the territory, nor from removing his residence or property to a foreign country, except the obligations of contributing to the military service and the maintenance of the public taxes.

ART. 26. The foreigner who may not have become naturalized shall not exercise in the Philippines any office which may have attached to it authority or jurisdiction.

ART. 27. Every Filipino is obliged to defend the country with arms when he may be called upon by the laws, and to contribute to the expenses of the estate (government) in proportion to his property. (S. C., 13th art.)

ART. 28. The enumeration of the rights granted in this title does not imply the prohibition of any other not expressly delegated.

ART. 29. Previous authorization shall not be necessary in order to prosecute before the ordinary tribunals the public functionaries, whatever may be the crime which they commit.

A superior mandate shall not exempt from responsibility in cases of manifest infraction, clear and determinate, of a constitutional pro vision. In the other cases it shall exempt only the agents who may not exercise the authority.

ART. 30. The guarantees provided in articles 7, 8, 9, and 10 and 11 and paragraphs 1 and 2 of the 20th article shall not be suspended in the republic nor any part of it, unless temporarily and by means of a law, when the security of the estate shall demand it in extraordinary circumstances.

It being promulgated in the territory to which it may apply, the special law shall govern during the suspension according to the circumstances which demand it.

The latter as well as the former shall be voted in the national assembly, and in case the assembly may be closed the government is authorized to issue it in conjunction with the permanent commission without prejudice to convoking the former within the shortest time and giving them information of what may have been done.

But neither by the one nor the other law can there be suspended any other guarantees than those delegated in the first paragraph of this article nor authorizing the government to banish from the country or transport any Filipino.

In no case can the military or civil chiefs establish any other penalty than that previously prescribed by the law. (S. C., 17th art.)

ART. 31. In the Philippine republic no one can be tried by private laws nor special tribunals. No person can have privileges nor enjoy emoluments which may not be compensation for public service and which are fixed by law. "El fuero de guerra y mariana" (the jurisdiction, privileges, and powers of army and navy) shall extend solely to the crimes and faults which may have intimate connection with the military and maritime discipline.

ART. 32. No Filipino can establish "mayorazgos" now institutions "vinculadoras" (title of perpetual succession by eldest son nor institutions entailed) of property, nor accept honors, "condecoraciones" (insignia or decoration of orders) or titles of honor and nobility from foreign nations without the authorization of the government.

Neither can the government establish the institutions mentioned in the preceding paragraph, nor grant honors "condecoraciones" or titles of honor and nobility to any Filipino.

Notwithstanding the nation may reward by a special law, voted by the assembly, eminent services which may be rendered by the citizens to their country.

FIFTH TITLE.

LEGISLATIVE POWER.

ART. 33. The legislative power shall be exercised by an assembly of the representatives of the nation.

This assembly shall be organized in the form and under the conditions determined by the law which may be issued to that effect.

ART. 34. The members of the assembly shall represent the entire nation, and not exclusively those who elect them.

ART. 35. No representative shall be subjected to any imperative mandate of his electors.

ART. 36. The assembly shall meet every year. It is the prerogative of the President of the republic to convoke it, suspend and close its sessions and dissolve it, in concurrence with the same or with the permanent commission in its default, and within legal terms.

ART. 37. The assembly shall be open at least three months each year, not including in this time that which is consumed in its organization.

The President of the republic shall convoke it, at the latest, by the 15th of April.

ART. 38. In an extraordinary case he can convoke it outside of the legal period, with the concurrence of the permanent commission, and prolong the legislature, when the term does not exceed one month nor takes place more than twice in the same legislature.

ART. 39. The national assembly, together with the extraordinary representatives, shall form the constituents in order to proceed to the modification of the constitution and to the election of the new President of the republic, convoked at least one month previous to the termination of the powers of the former.

In the case of the death or of the resignation of the President of the republic, the assembly shall meet immediately by its own right and at the request of its president or of that of the permanent commission.

ART. 40. In the meantime, while the appointment of the new President of the republic proceeds, the president of the supreme court of justice shall exercise his functions, his place being filled by one of the members of this tribunal, in accordance with the laws.

ART. 41. Any meeting of the assembly which may be held outside of the ordinary period of the legislature shall be null and void. That which is provided by art. 39 is excepted, and in that the assembly is constituted a tribunal of justice, not being allowed to exercise in such case other than judicial functions.

ART. 42. The sessions of the assembly shall be public. Notwithstanding, they can be secret at the petition of a certain number of its individuals, fixed by the regulations, it being decided afterwards by an absolute majority of the votes of the members present whether the discussion of the same matter be continued in public.

ART. 43. The President of the republic shall communicate with the assembly by means of messages, which shall be read from the rostrum by a secretary of the government.

The secretaries of the government shall have entrance into the assembly, with the right to the floor whenever they ask it, and shall cause themselves to be represented in the discussion of any particular project by commissioners designated by decree of the President of the republic.

ART. 44. The assembly shall constitute itself a tribunal of justice in order to try the crimes committed against the security of the estate by the President of the republic and individuals of the Counsel of Government, by the President of the Supreme Court of Justice, by the Procurer-General of the nation by means of a decree of the same, or of the permanent commission in its absence, or of the President of the republic at the proposal of the Procurer-General, or of the counsel of the government.

The laws shall determine the mode of procedure for the accusation, preparation for trial, and pardon.

ART. 45. No member of the assembly can be prosecuted nor molested for the opinions which he may express nor for the votes which he may cast in the exercise of his office.

ART. 46. No member of an assembly can be prosecuted in a criminal matter without authorization of the same, or of the permanent com-

mission, to whom shall immediately be given information of the act for proper disposition.

The arrest, detention, or apprehension of a member of the assembly can not take place without previous authorization of the same or of the permanent commission; but having once notified the assembly of the decree of arrest, shall incur responsibility if, within two days following the notification, it may not authorize the arrest or give reasons upon which its refusal is founded.

ART. 47. The national assembly shall have besides the following powers:

1. To frame regulations for its interior government.

2. To examine the legality of the elections and the legal qualifications of the members elected.

3. Upon its organization to appoint its President, Vice-President, and secretaries.

Until the assembly may be dissolved, its President, Vice-Presidents, and secretaries shall continue exercising their offices during the four legislatures; and

4. To accept the resignations presented by its members, and grant leaves of absence subject to the regulations. (S. C., 34th and 35th art.)

ART. 48. No project can become a law before being voted upon by the assembly.

In order to pass the laws there shall be required in the assembly at least a fourth part of the total number of members, whose elections may have been approved and who may have taken the oath of office.

ART. 49. No proposed law can be approved by the assembly without having been voted upon as a whole, and article by article.

ART. 50. The assemblies shall have the right of censure and each one of its members the right to be heard.

ART. 51. The proposal of the laws belongs to the President of the republic and to the assembly.

ART. 52. The representative of the assembly who accepts of the government pension, employment, or commission with a salary, shall be understood to have renounced his office.

The employment of the secretary of the government of the republic and other offices prescribed in special laws are excepted from this provision. (S. C., 31st art.)

ART. 53. The office of representative shall be for a term of four years, and those who may exercise it have the right, by way of indemnity, according to the circumstances, to a sum determined by the law.

Those who may absent themselves during the whole of the legislature shall not be entitled to this indemnity, but will recover this right if they assist in those which follow.

SIXTH TITLE.

THE PERMANENT COMMISSION.

ART. 54. The assembly, before the closing of its sessions, shall elect seven of its members in order to constitute a permanent commission during the period of its being closed, the latter being obliged in its first session to designate a president and secretary.

ART. 55. The following are the functions of the permanent commission in the absence of the assembly:

1. To declare whether or not there is sufficient reason to proceed against the President of the republic, the representatives, secretaries of the government, President of the Supreme Court of Justice, and the Procurer-General in the cases provided by this constitution.

2. To convoke the assembly to an extraordinary meeting in those cases in which it should constitute a tribunal of justice.

3. To transact the business which may remain pending for consideration.

4. To convoke the assembly to extraordinary sessions when the exigency of the case may demand; and

5. To substitute the assembly in its functions in accordance with the constitution, exception being made of the right to make and pass the laws.

The permanent commission shall meet whenever it may be convoked by him who presides in accordance with this constitution.

SEVENTH TITLE.

THE EXECUTIVE POWER.

ART. 56. The executive power shall reside in the President of the republic, who exercises it through his secretaries.

ART. 57. The conduct of the interests peculiar to the towns, the provinces, and of the estate belonging respectively to the popular assemblies, to the provincial assemblies, and to the active administration, with reference to laws, and upon the basis of the most ample "desceb-trakizacion" (distribution) and administrative autonomy.

EIGHTH TITLE.

THE PRESIDENT OF THE REPUBLIC.

ART. 58. The president of the republic shall be elected by an absolute majority of votes by the assembly and the representative specially met in constitutive chamber.

His term of office shall be for four years and he will be reeligible.

ART. 59. The President of the Republic shall have the proposal of the laws as well as the members of the assembly, and shall promulgate the laws when they have been passed and approved by the latter and shall watch over and insure their execution.

ART. 60. The power of causing the laws to be executed extends itself to all that which conduces to the conservation of public order in the interior and the international security.

ART. 61. The President of the Republic shall promulgate the laws within twenty days following the time when they have been transmitted by the assembly definitely approved.

ART. 62. If within this time they may not be promulgated, it shall devolve upon the President to return them to the assembly with justification of the causes of their detention, proceeding in such case to their revision, and it shall not be considered that it insists upon them, if it does not reproduce them by a vote of at least two-thirds of the

members of the assembly present. Reproducing the law in the form indicated the government shall promulgate it within ten days, announcing his nonconformity.

In the same manner the government shall become obligated if he allow to pass the term of twenty days without returning the law to the assembly.

ART. 63. When the promulgation of a law may have been declared urgent by a vote expressed by an absolute majority of the votes of the assembly the President can call upon them by a message, stating his reasons for a new deliberation, which can not be denied, and the same law being approved anew, shall be promulgated within the legal term, without prejudice to the President's announcing his nonconformity.

ART. 64. The promulgation of the laws shall take place by means of their publication in the official periodical of the republic and shall take effect after thirty days from the date of publication.

ART. 65. The President of the Republic shall have command of the army and navy, making and ratifying treaties of peace, with the previous concurrence of the assembly.

ART. 66. Treaties of peace shall not be binding until passed by the assembly.

ART. 67. In addition to the necessary powers for the execution of the laws, the President of the Republic shall have the following:

1. To confer civil and military employment with reference to the laws.

2. To appoint the secretaries of the government.

3. To direct diplomatic and commercial relations with foreign powers.

4. To see to it that in the entire territory may be administered speedy and complete justice.

5. To pardon delinquents in accordance with the laws, excepting the provision relative to the secretaries of the government.

6. To preside over national assemblies and to receive the envoys and representatives of the foreign powers authorized to meet him.

ART. 68. The President of the Republic shall need to be authorized by a special law:

1. In order to alienate, cede, or exchange any part of the Filipino territory.

2. In order to annex any other territory to that of the Philippines.

3. In order to admit foreign troops into the Philippine territory.

4. In order to ratify treaties of alliance, offensive and defensive; special treaties of commerce—those which stipulate to give subsidy to a foreign power—and all those which may bind individually the Filipinos.

In no case can the secret articles of a treaty derogate those which are public.

5. In order to grant amnesties and general pardons.

6. In order to coin money. (S. C., 55th art.)

ART. 69. To the President of the Republic belongs the power of dictating regulations for compliance and application of the laws in accordance with the requisites which the same prescribe. (S. C., 54th art.)

ART. 70. The President of the Republic can, with the previous concurrence adopted by a majority of the votes of the representatives, dissolve the assembly before the expiration of the legal term of its office.

In this case they shall be convoked for new elections within a term of three months.

ART. 71. The President of the Republic shall only be responsible in cases of high treason.

ART. 72. The compensation of the President of the Republic shall be fixed by a special law, which can not be changed until the end of the presidential term of office.

NINTH TITLE.

THE SECRETARIES OF THE GOVERNMENT.

ART. 73. The council of the government shall be composed of a President and seven Secretaries, who shall have charge of the offices of Foreign Affairs, Interior, Treasury, Army and Navy, Public Instruction, Public Communications and Works, Agriculture, Industry, and Commerce.

ART. 74. All that which the President may order or provide in the exercise of his authority shall be signed by the Secretary to whom it belongs. No public functionary shall give compliance to any which lack this requisite.

ART. 75. The secretaries of the government are responsible jointly to the assembly for the general policy of the government and individually for their personal acts.

To the Procurer-General of the nation belongs the accusing of them, and to the assembly their trial.

The laws shall determine the cases of responsibility of the secretaries of the government, the penalties to which they are subject, and the mode of procedure against them.

ART. 76. If they should be condemned by the assembly, in order to pardon them there shall precede the petition of an absolute majority of the representatives.

TENTH TITLE.

THE JUDICIAL POWER.

ART. 77. To the tribunals belong exclusively the power of applying the laws in the name of the nation in civil and criminal trials.

The same codes shall govern in the entire republic without prejudice to modifications which for particular circumstances the laws may prescribe.

In them shall not be established more than one jurisdiction for all the citizens in common trials, civil and criminal.

ART. 78. The tribunals shall not apply the general and municipal regulations only in so far as they conform with the laws.

ART. 79. The exercise of the judicial power resides in the Supreme Court of Justice and in the tribunals which are prescribed by the laws.

The composition, organization, and other attributes shall be governed by the organic laws which may be determined.

ART. 80. The President of the Supreme Court of Justice and the "Procurer-General" shall be appointed by the national assembly in concurrence with the President of the Republic and Secretaries of the government, and shall have absolute independence of the executive and legislative powers.

ART. 81. Any citizen can institute a public prosecution against any of the members of the judicial power for the crimes they may commit in the exercise of their office.

ELEVENTH TITLE.

PROVINCIAL AND POPULAR ASSEMBLIES.

ART. 82. The organization and powers of the provincial and popular assemblies will be regulated their respective laws.

The latter shall be regulated according to the following principles:

1. Government and management of the interests peculiar to the provinces or towns, by their respective corporations, the principle of popular and direct election being the basis for the organization of said corporations.
2. Publicity of the sessions within the limits prescribed by the laws.
3. Publicity of the budgets, accounts, and important decisions.
4. Intervention of the government, and in the proper case of the national assembly in order to prevent the provincial and municipal corporations from exceeding their powers, to the prejudice of general and individual interests.
5. Determination of their powers in the matter of taxes, in order that the provincial and municipal taxation may never be antagonistic to the system of taxation of State.

TWELFTH TITLE.

THE ADMINISTRATION OF STATE.

ART. 83. The government shall present yearly to the assembly budgets of income and expenses, setting forth the alterations made in those of the preceding year and inclosing the balance of the last fiscal year in accordance to law.

When the assembly may meet the budgets will be presented to it within ten days following its convening.

ART. 84. No payment shall be made except in accordance with the law of budgets or other special laws, in the form and under the responsibilities fixed thereby.

ART. 85. It is necessary that the government be authorized by law in order to dispose of the goods and properties of State or to secure a loan upon the credit of the nation.

ART. 86. The public debt which is contracted by the government of the republic in accordance with this constitution shall be under the special guaranty of the nation.

No indebtedness shall be created unless at the same time the resources with which to pay it are voted.

ART. 87. All the laws relating to incomes, public expenditures, or public credit shall be considered as a part of those of the budgets, and shall be published as such.

ART. 88. The assembly shall fix each year, at the request of the President of the Republic, the military forces of land and sea.

Thirteenth Title.

REFORMS IN THE CONSTITUTION.

Art. 89. The assembly, upon its own motion or at the proposal of the President of the Republic, can resolve the reform of the constitution, prescribing for that purpose the article or articles which should be modified.

Art. 90. The declaration made, the President of the Republic shall dissolve the assembly and convoke the "constituyente" (constituting power), which shall meet within three months following. In the convocation shall be inserted the resolution referred to in the preceding article.

Fourteenth Title.

THE OBSERVANCE AND OATH OF THE CONSTITUTION—LANGUAGES.

Art. 91. The President of the Republic, the government, the assembly, and all the Filipino citizens, shall faithfully guard the constitution; and the legislative power, immediately after the approval of the law of budgets, shall examine as to whether the constitution has been exactly observed and as to whether its infractions have been corrected, providing that which is most practicable in order that the responsibility of the transgressors may be made effective.

Art. 92. Neither the President of the Republic nor any other public functionary can enter upon the performance of his duty without previously taking the oath.

Such oath shall be taken by the President of the Republic before the national assembly.

The other functionaries of the nation shall take it before the authorities determined by law.

Art. 93. The use of the languages spoken in the Philippines is optional. It can only be regulated by the law, and solely as to the acts of public authority and judicial affairs. For the purpose of these acts shall be used at present the Castillian language.

TEMPORARY PROVISIONS.

Art. 94. In the meantime, and without prejudice to the 48th article and the commissions which may be appointed by the assembly for the preparation of the organic laws for the development and application of the rights granted the Filipino citizens, and for the régime of the public powers determined by the constitution, the laws in force in these islands before their emancipation shall be considered as the laws of the republic.

In like manner shall be considered in force the provisions of the civil code in respect to marriage and civil registry, suspended by the general government of the islands; the instructions of the 26th of April, 1888, in order to carry into effect articles 77, 78, 79, and 82 of said code; the law of civil registry of the 17th of June, 1870, referred to by article 332 of the same, and the regulations of the 13th of December, 1870, for the execution of this law, without prejudice to the local chiefs continuing in charge of the entries in the civil registry and intervening in the celebration of the marriage of Catholics.

ART. 95. Pending the approval and enforcement of the laws referred to in the preceding article the provisions of the Spanish laws temporarily enforced by said article may be modified by special laws.

ART. 96. After promulgating the laws which the assembly may approve in accordance with the 94th article, the government of the republic is authorized to issue the decrees and regulations necessary for the immediate formation of all the organizations of state.

ART. 97. The President of the Revolutionary Government shall at once assume the title of President of the Republic, and shall exercise said office until the constituting assembly meets and elects the person who is to fill said office definitely.

ART. 98. This congress, with the members who compose it, and those who may be returned by election or decree, shall continue four years—that is to say, the whole of the present legislature, beginning the 15th of April of next year.

ART. 99. Notwithstanding the general rule established in the 2d paragraph of the 4th article, during the time the country may have to struggle for its independence the government is hereby authorized to determine, at the close of congress, whatever questions and difficulties, not provided for by law, may arise from unforeseen events, by means of decrees, which may be communicated to the permanent commission and to the assembly on its first meeting.

ART. 100. The execution of the 5th article of title 3 is hereby suspended until the meeting of the constituting assembly.

In the meantime, the municipalities of those places which may require the spiritual offices of a Filipino priest shall provide for his maintenance.

ART. 101. Notwithstanding the provisions of arts. 62 and 63, the laws returned by the President of the Republic to congress can not be reproduced until the legislature of the following year, the President and his council of government being responsible for the suspension. If the reproduction be made, the promulgation will be compulsory within ten days, the President stating his nonconformity if he so desires.

If the reproduction be made in subsequent legislatures, it will be considered as being voted for the first time.

ADDITIONAL ARTICLE. From the 24th of May last, on which date the dictatorial government was organized in Cavite, all the buildings, properties, and other belongings possessed by the religious corporations in these islands will be understood as restored to the Filipino government.

Barasoain, January 20, 1899.

THE PRESIDENT OF THE CONGRESS.
PEDRO A. PATERNO.

The secretaries:
PABLO TECSON.
PABLO OCAMPO.

Exhibit V.

A PROPOSED CONSTITUTION FOR THE ISLAND OF NEGROS.

The people of the island of Negros in the Philippine Archipelago, to secure justice, insure domestic tranquillity and to establish good government, do adopt the following as their constitution:

Article I.

DECLARATION OF RIGHTS.

Section 1. All persons are born equally free and have equal rights before the law. The right of the people to enjoy life and liberty, to acquire, possess, and protect property, and to seek and obtain happiness in all lawful ways is inalienable.

Sec. 2. Freedom to conscience and the right to worship God at the altar of his own choosing shall be forever guaranteed to every person, and no discrimination shall be made against any person by reason of his religion or on account of his religious convictions. No law shall be passed establishing any form of religion or religious worship: Provided, however, that the liberty of conscience hereby secured shall not be construed as tolerating licentious conduct cloaked by a form of religion, or as permitting acts subversive of good order or at variance with the welfare and safety of the state.

Sec. 3. Freedom of speech and a free press are securities against encroachment on the liberties of a free people and must not be abridged.

Sec. 4. The right of the people to peaceably assemble and petition for redress of grievances or for the removal of causes of complaint can not be denied or refused.

Sec. 5. The right of the citizen to keep arms in defense of his home and the right to bear arms by an organized militia created for the protection of the state must not be infringed. Carrying of concealed weapons, however, can not be countenanced without a permit from proper authority.

Sec. 6. The people are entitled to protection of their persons and property against unwarranted interference and to security in their homes against unlawful intrusion. Wherefore, unreasonable searches and seizures must not be made, and no warrant to make seizures or searches must issue unless probable cause, supported by oath or affir-

mation, appear therefor, together with a particular description of the place to be searched and the person or things to be seized.

SEC. 7. Neither slavery nor involuntary servitude shall ever be permitted in the island of Negros except as a punishment for crime, and then only after the person shall have been properly tried and duly convicted of an offense against the law of the land.

SEC. 8. No person shall be deprived of his life, liberty or property without due process of law, nor shall his property, or any part thereof, be taken or impaired by the state for the public benefit or otherwise without compensation having been first paid to the owner or deposited in a court of law for his benefit and subject to his order.

SEC. 9. No ex post facto laws and no law impairing the obligation or affecting the validity of contracts shall ever be made.

SEC. 10. The courts of justice shall be open at all times for the transaction of business and shall administer impartial justice to all persons coming before them without fear, favor, or delay.

SEC. 11. Every person prosecuted for crime shall have the right to demand and be informed of the nature and character of the charge against him and shall be entitled to appear in person or by counsel to defend himself against the accusation. Persons charged with crime must be accorded a speedy public trial and have the right not only to be confronted with the witnesses against them, but are entitled to process to compel, without cost to them, the attendance of witnesses who in good faith they believe will testify in their behalf. Every person charged with crime may be a witness in his own behalf, but no such person can be compelled to testify against himself, nor can he at all be made a witness upon his trial except his consent be first obtained. Neither shall any person charged with crime be submitted to torture or any cruel treatment whatever to compel a confession or any statement whatever, nor shall any statement or confession made by a person charged with crime be evidence against him unless voluntarily made without violence, threats, or inducements. Witnesses unable to give suitable security for their appearance as such on the trial of a criminal cause shall not be restrained of their liberty for a period longer than may be necessary to obtain their depositions in the presence of the accused, who shall have the right to examine such witness. No person accused of crime shall be twice put in jeopardy for the same offense.

SEC. 12. Persons not charged with capital offenses shall be entitled to be admitted to bail, and in case of conviction of crime excessive fines must not be imposed or cruel or unusual punishments inflicted. Where the probability is not great and the evidence is not strong even persons charged with capital crimes may be admitted to bail.

SEC. 13. Persons confined for any cause whatever or in any way restrained of their liberty shall have the right, upon petition properly verified, to be taken in person before a court of competent jurisdiction to have determined the cause and legality of their detention, and if such detention appear to be without proper authority, or if there be no legal cause therefor, then the person illegally detained must be released from the restraint under which he is held. The privilege of habeas corpus hereby granted shall never be suspended except in case of rebellion, war, or public invasion, when the public safety shall require it, and then only on concurrence of the governor of the state, president of the congress, and the senior judge of the highest court of justice in the island.

SEC. 14. The military power is subordinate to the civil, and must not be used to deprive the citizen of his civil or political rights. No soldier in time of peace shall be quartered in any house without consent of the owner, nor in time of war save in manner prescribed by law.

SEC. 15. Aliens and denizens shall have the same right to purchase, acquire, possess, enjoy, sell, transmit, lease, hire, let, convey, hypothecate, mortgage, devise, bequeath, and inherit property as citizens, save and except that public lands open for location can be located and acquired in the first instance only by citizens of the state. Mines and real property necessary for the proper working thereof may, however, be acquired and disposed of in the same manner by aliens and denizens as by citizens.

SEC. 16. In all criminal prosecutions, when a proper form of procedure shall have been established by law, the accused shall have the privilege of a trial by jury in the district where the crime is claimed to have been committed, which district must be previously ascertained and defined, and no conviction can be had unless three-fourths of the jurors concur.

SEC. 17. In all civil causes, when a proper form of procedure shall have been established by law, the right of trial by jury shall be granted on demand of either party to the controversy where the amount involved exceeds twenty dollars.

SEC. 18. The legislature shall not have power to irrevocably grant any special privileges, immunities, or franchises. All franchises must be sold by the government to the highest bidder for cash, and such franchises shall not be granted for a longer period than fifty years. Franchises to create and operate railroads, street railways, trams, local telephones and telegraphs, lighting and water supply plants, and other public utilities must specify the date of commencement and the time allowed for completion of the work necessary for the complete installment and operation of the utility, and must also be coupled with the condition that at least two per cent of the gross receipts from operations under such franchises shall be paid annually by the grantee or his successors to the government. Moneys derived by the government from the sale of franchises and from the percentage of receipts hereinbefore required to be paid shall constitute a fund to be expended by the legislature in the cause of education and on public works.

SEC. 19. The enumeration in this constitution of certain rights shall not be construed as denying, disparaging, or affecting others retained by the people.

SEC. 20 The Government of the United States shall have the right to exercise such internal supervisions and control as will secure to all the citizens, aliens, and denizens of the state of Negros the protection of person and property, and the rights, privileges, immunities, and liberties guaranteed and provided by this constitution.

SEC. 21. In case the United States shall form a federal government for the Philippine archipelago, then the island of Negros claims the right to become a portion of the federation so formed, under such provisions of this constitution and such amendments as may be adopted thereto as are not inconsistent with the organic law of federation.

SEC. 22. The Government of the United States has exclusive control over all matters involving relations with foreign powers, states, or governments, the regulation of commerce with other powers and be-

tween the islands of the Philippine Archipelago. It has the exclusive right to coin money, fix its value and that of foreign coin; the protection of authors and inventors; the punishment for counterfeiting coins or securities of the United States; piracy and felonies committed on the high seas, and offenses against the law of nations; and the making of treaties, proclaiming of war, and declaring of peace are matters exclusively within the authority of the United States. The power to make laws regulating immigration and the naturalization of persons and the control of the postal service and interisland cables and telegraphs is vested in the Government of the United States. The Government of the United States shall also have power to impose and collect such taxes, duties, imposts, and excises as may be necessary to extinguish debt, advance the general welfare of the people of Negros, and provide for the common defense.

ARTICLE II.

DISTRIBUTION OF POWERS.

SEC. 1. The power and authority of the government is hereby vested in its legislative, executive, and judicial departments.

SEC. 2. The legislative department shall have the exclusive right to exact laws and pass statutes in conformity with the constitution and subject to constitutional prohibition and inhibition.

SEC. 3. The executive department shall have the exclusive authority to execute and enforce the laws of the state.

SEC. 4. The judicial department shall have the exclusive power to administer justice and to construe the laws and statutes passed by the legislature.

SEC. 5. The power, authority, and jurisdiction of one department of the government shall not be exercised or usurped by another.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SEC. 1. The power and authority of the legislative department of the government shall be exercised by the legislature of the state, which shall be composed of two houses, to be known, respectively, as the "senate" and "chamber of deputies."

SEC. 2. No person shall be eligible to the position of senator who is under the age of ——— years, or who for the five years immediately preceding his election has not been continuously the owner of property to the value of $———, and paid to the state of Negros during each of said years an annual tax of at least $———.

SEC. 3. No person shall be eligible to the position of member of the chamber of deputies who has not attained the age of —— years.

SEC. 4. No person shall be elected as senator or deputy for any district of which he has not been continuously a resident for the twelve months immediately prior to his election or selection.

SEC. 5. The legislature shall be composed of nine members of the senate and twenty-seven members of the chamber of deputies.

SEC. 6. The state at large shall be entitled to elect one senator, Oriental Negros four senators,and Occidental Negros four senators.

SEC. 7. Occidental Negros shall have four senatorial districts, constituted and designated as follows:

The cities and pueblos of Bacolod, etc., shall compose the first senatorial district.

The cities and pueblos of ——— shall compose the second senatorial district.

The cities and pueblos of ——— shall compose the third senatorial district.

The cities and pueblos of ——— shall compose the fourth senatorial district.

SEC. 8. Oriental Negros shall have four senatorial districts, constituted and designated as follows:

The cities and pueblos of ——— shall compose the fifth senatorial district.

The cities and pueblos of ——— shall compose the sixth senatorial district.

The cities and pueblos of ——— shall compose the seventh senatorial district.

The cities and pueblos of ——— shall compose the eighth senatorial district.

SEC. 9. The districts for election of deputies shall be constituted and designated as follows:

The towns of Bacolod shall compose the first district for election of deputies to the chamber.

The towns of ——— shall compose the second district for election of deputies to the chamber.

The towns of ——— shall compose the third district for election of deputies to the chamber.

The towns of ——— shall compose the fourth district for election of deputies to the chamber.

The towns of ——— shall compose the fifth district for election of deputies to the chamber.

The towns of ——— shall compose the sixth district for election of deputies to the chamber.

The towns of ——— shall compose the seventh district for election of deputies to the chamber.

The towns of ——— shall compose the eighth district for election of deputies to the chamber.

The towns of ——— shall compose the ninth district for election of deputies to the chamber.

The towns of ——— shall compose the tenth district for election of deputies to the chamber.

The towns of ——— shall compose the eleventh district for election of deputies to the chamber.

The towns of ——— shall compose the twelfth district for election of deputies to the chamber.

The towns of ——— shall compose the thirteenth district for election of deputies to the chamber.

The towns of ——— shall compose the fourteenth district for election of deputies to the chamber.

The towns of ——— shall compose the fifteenth district for election of deputies to the chamber.

The towns of ——— shall compose the sixteenth district for election of deputies to the chamber.

The towns of ——— shall compose the seventeenth district for election of deputies to the chamber.

The towns of ——— shall compose the eighteenth district for election of delegates to the chamber.

The towns of ——— shall compose the nineteenth district for election of deputies to the chamber.

The towns of ——— shall compose the twentieth district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-first district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-second district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-third district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-fourth district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-fifth district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-sixth district for election of deputies to the chamber.

The towns of ——— shall compose the twenty-seventh district for election of deputies to the chamber.

Notwithstanding the apportionment and representation herein provided, the legislature shall have the power at any time to make a reapportionment, and readjust or increase the representation of deputies in proportion to the inhabitants, whenever in its judgment such a course may seem wise or proper.

SEC. 10. Senators and deputies shall be elected to serve for three years, provided, however, that of the senators and deputies elected to the legislature at the first election one-third shall serve for one year, one-third for two years, and one-third for three years. Immediately after the organization of the senate and chamber of deputies constituting the first legislature it shall be determined by lot what senators and deputies shall serve for one year, for two years, and for three years, the result of which determination by lot must be noted in the journal of the senate as to terms of senators and in the journal in the chamber of deputies as to terms of deputies.

SEC. 11. The first legislature elected under this constitution shall be convened at Bacolod, island of Negros, at nine o'clock in the morning on the fourteenth day after the formal announcement of the election of state officers. All subsequent sessions of the legislature shall open at nine o'clock in the morning on the first Monday after the first day of each year.

SEC. 12. Each senator and deputy shall receive as compensation for his services five dollars, Mexican silver value, for each day's attendance upon the legislature, not exceeding thirty days in all, and twenty cents for each mile between his residence and the seat of government. Senators and deputies to the first legislature, however, may receive five dollars for each day's attendance, not to exceed ninety days in all.

SEC. 13. The senate shall organize by electing from its membership a president pro tempore, who will preside over the senate during the absence, disqualification, or disability of the lieutenant-governor, and who shall act as governor during the absence, disqualification, or disability of both the governor and lieutenant-governor. The senate

shall also elect a secretary, who shall make a careful record of all proceedings had and securely keep all official and other documents and papers of the senate. The chamber of deputies shall organize by the election of a speaker and recorder from its membership. The speaker shall be the presiding officer of the chamber, and the recorder shall keep the minutes of all proceedings and carefully preserve all documents and papers confided to his care. Such clerical and other help may be employed as may be required to transact the public business at such compensation as may be approved by a two-thirds vote of both houses.

SEC. 14. The senate and chamber of deputies shall have power to pass upon the election returns of senators and deputies, respectively, and by a two-thirds vote set aside the election of any senator or deputy secured by any fraud, intimidation, coercion, corruption, bribery of voters, or improper influence.

SEC. 15. Any senator or deputy may be expelled, for misconduct, from the body of which he is a member by a two-thirds vote of its membership.

SEC. 16. In case the election of any senator or deputy be set aside, or any senator or deputy be expelled from the body of which he is a member, or a vacancy created in either chamber from any other cause, the governor shall immediately call an election in the district in which a vacancy has been created.

SEC. 17. Any senator or deputy of any district may be removed from office if two-thirds of the electors of the district represented by him favor his removal at an election called for the purpose on petition of one-half of the electors of the district.

SEC. 18. All proposed laws must be presented by bill, and every bill must contain a title, in which shall be set out the objects and purposes of the bill, which must be followed by the enacting clause "Be it enacted by the people of Negros." Should any bill contain a subject, object, or purpose not expressed in its title it shall be void as to the subject, object, or purpose not expressed in the title.

SEC. 19. All bills, except appropriation bills and bills to raise revenue, may be originated in either house, but all bills may be amended in or by either house, providing the amendment proposed relates to the final object of the bill as originally presented.

SEC. 20. Bills passed by either house must be read as passed, and if correct must be immediately signed by the presiding officer in the presence of the house while in session.

SEC. 21. When a bill has been signed in either chamber it must be immediately transmitted to the other for action.

SEC. 22. When bills have finally passed both chambers and have been properly signed by the presiding officers thereof, they must be transmitted to the governor for action. Should the governor approve the bill or fail to act thereon within ten days after the same shall have been presented to him for action, then the bill shall become a law, unless the legislature shall adjourn before the expiration of the said ten days, Sundays excepted. Should the legislature adjourn before the expiration of the time allowed to the governor for action on bills, then the same can not become law until approved by the governor within fifteen days after adjournment.

SEC. 23. In case the governor disapproves any bill, then the same shall be returned to the house in which the bill originated, together

with his reasons for disapproving the same, and should a two-thirds vote of the membership of the house favor the passage of the bill the same shall be transmitted to the other house, and if approved there by a two-thirds vote, notwithstanding the disapproval of the governor, then the same shall become a law.

SEC. 24. All bills for the raising of revenues or appropriation of public money must originate in the chamber of deputies, and the governor shall have power to disapprove any item of the appropriation subject to the right of the chambers to pass such item by a two-thirds vote, notwithstanding the disapproval.

SEC. 25. A majority of membership shall constitute a quorum for the transaction of business in either house, but a less number may meet and adjourn from day to day, taking such steps to secure the attendance of absentees and to punish delinquents as may be proper.

SEC. 26. The legislature shall adopt a seal of the state to be fixed to all grants and commissions and to all other documents prescribed by law.

SEC. 27. Both houses shall concur in order to adjourn the legislature.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

SEC. 1. The executive department of the government shall consist of a governor, a lieutenant-governor, a secretary of state, an attorney-general, a state treasurer, a state auditor, a superintendent of public instruction, and an adjutant-general, each of whom shall hold office for the term of three years or until his successor shall be elected and qualified: *Provided, however*, That the terms of the state officers in this section enumerated, elected at the first election held under this constitution, shall expire on the second Monday of January nineteen hundred and two.

SEC. 2. Until otherwise provided by law the salaries of the state officers enumerated in section 1 shall be as follows: Governor, $——— per annum; lieutenant-governor, the pay of a senator during the sessions of the senate: *Provided, however*, That while acting as governor he shall receive the same compensation as that paid to the governor; secretary of state, $——— per annum; attorney-general, $——— per annum; state treasurer, $——— per annum; state auditor, $——— per annum; superintendent of public instruction, $——— per annum; adjutant-general, $——— per annum.

SEC. 3. (*a*) The governor shall exercise the supreme executive authority of the state, and it shall be his duty to see that all laws are faithfully enforced and properly executed. (*b*) The governor shall be the commander in chief of all the militia forces of the state except when the same shall be called into the service of the United States, and he may, when necessary to repel invasion, to enforce the laws, or to suppress disorder or insurrection, call out the whole or any part of the military or public force of the state subject to his command. (*c*) The governor shall have power to fill all vacancies in any state office established by this constitution or created by law, pending an election to fill such vacancy, which must be held at the time of the annual election to fill vacancies of senators and deputies whose terms have expired. (*d*) The governor shall have power to exact from all exec-

utive officers in the state a report in writing of the management of their offices, together with a statement of their official accounts. He also may require information from any executive officer touching any matter connected with his office. For the failure to supply the governor with any report, statement, or information required by him the delinquent may be removed from office by impeachment or by proper proceedings prescribed by law. (*e*) The governor shall have the right to exercise the veto power on all legislative enactments and resolutions requiring the concurrence of both houses. In the case of a veto he must return the bill or resolution to the house in which the same originated within ten days after the same shall have been presented to him, together with his written objections thereto; and if any bill or resolution fails to pass both houses by a two-thirds vote, notwithstanding the veto, such bill or resolution shall have no force or validity: *Provided, however*, That if the legislature adjourn before the expiration of the time allowed to the governor for action on the bill he may approve the same within ten days after adjournment and the same shall thereupon become a law. (*f*) Upon extraordinary occasions, and when the public welfare demands it, the governor shall have power to reconvene, for specific legislation or for a specific purpose, the legislature after the same has adjourned. No business or legislation shall be considered at such a special session of the legislature other than that specified in the proclamation of the governor reconvening it. (*g*) With or without condition the governor shall have power and authority, upon the recommendation of the secretary of state, attorney-general, and the adjutant-general to grant respites, pardons, or commutation of punishment inflicted or about to be inflicted for crimes, and to remit or partially remit fines or forfeitures imposed by law and made payable to the state or any of its subdivisions. (*h*) The governor shall sign all grants and commissions, which must be issued in the name of the state and under its great seal. (*i*) The governor shall perform such other duties as may be prescribed by the legislature.

SEC. 4. (*a*) The lieutenant-governor shall be the president of the senate. (*b*) The lieutenant-governor shall perform the duties of governor in case of a vacancy in the office of governor, or in case of the governor's failure to qualify by taking the oath of office, or in case of a conviction of the governor of a felony or infamous crime, or in case of the absence of the governor from the state, or in case of the disability of the governor to perform the duties of his office. While actually performing the duties of governor, the lieutenant-governor shall be entitled to the privileges and emoluments of the office of governor until the disability of the governor shall have been removed or his term has expired. He shall perform such other duties as may be prescribed by law.

SEC. 5. The secretary of state shall countersign all grants and commissions executed by the governor, attend every session of the legislature, receiving all bills and resolutions thereof; keep and attest the official acts of the governor; affix the great seal, with his own attestation, to all commissions, pardons, and public instruments to which the official signature of the governor is required; keep a record in a proper book of all the property of the state and all conveyances made to it; certify to the governor the names of all persons shown by the election returns to be elected to a state office by the highest number

of votes; keep an account of all moneys received and expended by his office; carefully preserve the official copy of the constitution and all acts and resolutions of the legislature, and also the great seal of state. He must also carefully preserve the records and proceedings of the legislature, which must be turned over to his custody by the secretary of the senate and recorder of the chamber of deputies, on the adjournment of the session. He shall perform such other duties as may be required by law.

SEC. 6. The attorney-general shall prosecute and defend all causes to which the state, or any of its officials, is a party; give legal advice to any officer of the state whenever the same shall be required by him in his official capacity. He shall perform such other duties as may be prescribed by law.

SEC. 7. It shall be the duty of the state treasurer to receive and safely keep all funds of the state not confided by law to the custody of other officials; to expend moneys only upon the warrants drawn by the state auditor attached to the voucher for which the warrant was drawn; to keep a careful account of all moneys received and expended by law; and once a month to report to the state auditor an itemized statement of the warrants paid and the balance on hand in the treasury. He shall perform such other duties as may be prescribed by law.

SEC. 8. It shall be the duty of the state auditor to report to the governor on the first Monday of November of each year an itemized statement of the expenses of the government for the preceding fiscal year, and an estimate of all the expenses of the government for the ensuing fiscal year, itemized as far as possible. He must also report the amount of money on hand in the treasury to meet such expenses and the amount of revenue necessary to be raised for the purposes of the government by taxation or otherwise. He shall also report such scheme and plan as to him may seem proper to secure economy in the public service. He shall draw warrants on the state treasurer for all amounts properly due from the state after a careful investigation as to their correctness and justice, and providing such accounts have been first properly certified as required by law. He shall perform such other duties as may be prescribed by law.

SEC. 9. It shall be the duty of the superintendent of public instruction to perform such duties as may be required by law.

SEC. 10. It shall be the duty of the adjutant-general to perform such duties as may be required by law.

ARTICLE V.

JUDICIAL DEPARTMENT.

SEC. 1. The judicial power of the State shall be vested in the senate sitting as a court of impeachment (and as an appellate tribunal); also in superior courts, justice of the peace courts, and such other courts in cities and towns as may be prescribed by law.

SEC. 2. The senate sitting as a court of impeachment, with the senior judge of the superior court presiding, shall have jurisdiction to hear, try, and determine all charges brought to impeach for high crimes and misdemeanors and malfeasance in office any state executive, legislative or judicial officer, except justices of the peace and judges of courts of inferior jurisdiction, who shall be removed as may

be prescribed by law. The judge of the superior court shall be senior judge of this court.

SEC. 3. The senior judge shall not preside over the deliberations of the senate sitting as a court of impeachment in any cause in which he is interested or which he may have theretofore determined as superior judge. In case the senior judge is disqualified from presiding over the deliberations of the senate sitting as a court of impeachment the duty of presiding shall devolve upon the next superior judge who has received the highest number of votes, and in case all are disqualified, the senate shall select one of its members to preside.

SEC. 4. A majority of the members of the senate shall constitute a quorum for the transaction of its business sitting as a court of impeachment.

SEC. 5. The senate sitting as a court of impeachment shall not hold sessions as such during the sessions of the legislature.

SEC. 6. While sitting as a court of impeachment senators who attend shall be entitled to the pay of a senator for each day's attendance, not exceeding sixty days in all.

SEC. 7. The superior courts shall have original jurisdiction over all cases and actions involving the legality of any state or municipal tax, impost, or assessment; over all cases involving the title or right to the possession of real property, and over all cases involving the title or right to the possession of personal property the value of which exceeds three hundred dollars. The superior courts shall also have original jurisdiction over writs of habeas corpus and all cases in which the debt, damages, claim, or demand sought to be recovered, exclusive of interest, exceeds the sum of three hundred dollars, and shall also have original jurisdiction to prevent and abate nuisances, to settle and adjust the estates of deceased persons, and to distribute the same to the persons entitled thereto in the manner as prescribed by law. Superior courts shall also have the original jurisdiction over all criminal cases amounting to felony, and over all civil and criminal causes for the trial and disposition of which no other provisions are made.

SEC. 8. There shall be three judges of the superior court elected in the island of Negros, one by the electors of Negros Oriental, one by the electors of Negros Occidental, and one by the electors at large. All three judges may sit together for the determination of any cause upon the demand of either or both litigants, providing such a course shall be deemed proper by a majority of the superior judges.

SEC. 9. In case a superior judge elected by the electors of Oriental or Occidental Negros shall be disqualified or unable to act by reason of disability or any other cause, then the judge at large may hear, try, and determine all causes arising in such province until the disqualification or disability of the judge elected therefor has been removed. In case the judge at large and the judge elected for the province are both disqualified or under disability, then the judge elected for the other province shall act. The judge elected in one province may hold court in the other provinces in such other cases as may be required by law.

SEC. 10. The judge at large and the judges of the superior courts may hold office for six years: *Provided, however*, That the terms of the judge at large and the superior judges elected at the first election will expire on the first Monday of January, 1905, and when their successors are elected and qualified.

SEC. 11. The judge at large will receive a salary of $——— per annum and the superior judges will receive a salary of $——— per annum: *Provided, however*, That no judge shall receive payment of his salary until he has made a decision on all cases which have been under submission to him for decision for more than ninety days.

SEC. 12. The legislature shall have power to provide by law for such clerical force as may be necessary for the transaction of the business of the judicial department.

SEC. 13. Each pueblo or town shall have a tribunal of justice, composed of such officials of the town and having such original jurisdiction as may be prescribed by law, except as is in this constitution otherwise specified: *Provided, however*, That such tribunals of justice shall not have jurisdiction to hear or determine any cause in which the amount of the debt, damages, claim, or value of the property sought to be recovered exceeds the sum of three hundred dollars. Neither shall said tribunal of justice have jurisdiction to try any cause involving the right to the title or possession of real property nor the legality of any tax, impost, or assessment, nor issue, hear, nor determine any writ of habeas corpus: *And provided further*, That the tribunals of justice shall not have jurisdiction to try any criminal cause amounting to a felony. The tribunals of justice, however, may take the testimony of witnesses in felony cases for the information of officials charged with the duty of prosecuting on the part of the people.

SEC. 15. All matters of dispute between citizens may be adjusted by arbitration, each party to select one arbitrator, and if the two arbitrators so selected can not agree a third arbitrator may be selected by them, and the judgment in writing of a majority of the arbitrators shall finally determine the controversy. Such judgment of a court of arbitration must be filed for record in the superior court of the province.

ARTICLE VI.

RIGHT OF SUFFRAGE-ELECTION QUALIFICATION TO HOLD OFFICE.

SEC. 1. Every male over the age of twenty-one years who is a householder, or who can read and write any language, or who is the owner of real property of the minimum value of one thousand dollars, shall be entitled to vote at all elections, provided he has paid his State and city and town taxes.

SEC. 2. Persons convicted of felonies or infamous crimes shall never be permitted to exercise the right of suffrage or to hold public office of any character.

SEC. 3. Elections must not be held without such previous reasonable notice to the people as will enable all entitled to vote to exercise the privilege in the manner required and at the time and place designated. The voter must not be improperly influenced, coerced, threatened, terrorized, or intimidated, and shall be entitled to exercise the right of suffrage free from any interference whatever of the civil or military power. Members of the military force shall be only entitled to vote at their place of residence, and the place where stationed shall not be construed to be their residence, unless the same shall have been their homes immediately previous to their enrollment as part of the military department of the government. The right of citizens to vote shall not be abridged by reason of their race, color, or previous condition of servitude.

SEC. 4. The general elections for State officers whose terms are about to expire shall be held on the first Monday of the November immediately prior to the date of expiration, provided that within —— days after the adoption of this constitution an election shall be held for all State offices provided for in this constitution, except justices of the tribunals of justice.

SEC. 5. All elections by the people shall be by ballot. All ballots shall be of uniform color, length, and width, and every precaution must be taken to protect the secrecy of the ballot.

SEC. 6. All officers elected to hold vacancies shall hold office for the unexpired term and until their successors are elected and qualified.

SEC. 7. No person shall hold public office who is not an elector and taxpayer, or who at the time of his election is delinquent in the pay ment of his taxes.

ARTICLE VII.

EDUCATION.

SEC. 1. It shall be the duty of the legislature to at once establish and provide for maintaining free schools for the education of all children of the island between the ages of 5 and 18 years.

SEC. 2. All children between the ages of 5 and 14 years must attend for at least nine months of each year either the public school or some established private school of good repute selected by their parents or guardian.

ARTICLE VIII.

REVENUE AND TAXATION.

SEC. 1. The legislature is authorized to devise and adopt a system of taxation, uniform in operation, to raise revenue for the support of the State, for the maintenance of its institutions, and for the creation of public works. The system of taxation must be such as will equally distribute its burdens and impose no more than the fair share of the burden on any citizen or class of citizens.

SEC. 2. The property of the United States, of the State and cities and towns, of public educational institutions actually used for the purpose, and property actually used as places of public worship or for public charitable institutions, together with libraries and free public museums, shall be exempt from taxation. All other property shall be taxed in proportion to its value.

SEC. 3. Taxes for city, town, and municipal purposes shall not be levied by the legislature, but may be levied by the proper authorities of the city, town, or municipality.

ARTICLE IX.

PUBLIC INDEBTEDNESS.

SEC. 1. Laws passed by the legislature creating a public debt shall not be repealed until the debt actually incurred by the State has been fully paid and satisfied, and in the law itself providing for the creation of the debt the purpose for which it is created must be specified and provision made for the levy of the tax to pay the interest and create a

sinking fund sufficient to pay the principal within the time limited by law for the extinguishment of the debt and the sum total, etc.

SEC. 2. The funds raised by the levy of tax for a special purpose can be used for no other purpose than that specified.

ARTICLE X.

MILITARY FORCE.

SEC. 1. All male able-bodied citizens between the ages of 15 and 40 years shall be subject to military duty and may be called together for military instruction from time to time each year when the governor or adjutant-general, with the approval of the governor, may think proper.

ARTICLE XI.

PAY OF PUBLIC OFFICERS.

SEC. 1. The pay of no public officer shall be increased during the term of his office.

SEC. 2. No officer shall be entitled to draw the pay of any other office than that in which he is acting.

ARTICLE XII.

SCHEDULE.

SEC. 1. After the adoption of this constitution the officers of the provisional government will be continued in office until their successors in office, provided for by this constitution, are duly elected and qualified.

SEC. 2. Laws in force at the time of the adoption of this constitution and not in conflict with its provisions are continued in force until abrogated or repealed by the legislature.

SEC. 3. All cases and actions pending at the time of the adoption of this constitution are hereby transferred for trial and determination to the courts of appropriate jurisdiction designated in this constitution.

SEC. 4. Officers of cities, towns, and municipalities in office at the time of the adoption of this constitution shall continue to act in their official capacity until their successors are elected, selected, or appointed and qualified.

Done in open congress this —— day of ———, A. D. 1899.

Exhibit VI.

A DRAFT OF A CONSTITUTION PREPARED FOR THE COMMISSION BY CERTAIN EMINENT FILIPINOS.

NATIONAL CONSTITUTION OF THE PHILIPPINE ISLANDS.

Title I.

GOVERNMENT AND NATIONALITY.

Article 1. The government of the Philippine Islands is republican, federal, representative, and responsible.

By Philippine Islands is understood the recognized territory of the ancient Spanish colonies denominated the Philippine Archipelago and ceded by Spain to the United States according to the stipulations in the treaty of Paris, dated December 10, 1898.

Art. II. The territory of the Philippine Islands, for its constitution and government, is divided into regions, one of which is the national capital, Manila, the regions into provinces, and the provinces into the towns, of which there are actually composed:

REGIONS.

First. Manila comprises the province of this name, Corregidor Island, the stronghold of Cavite, and the towns of Bacoor, Binacayan, Cavite, Viejo, Caridad, San Roque and Inta, Tatay, Angono, and Antipolo of Morong.

Second. Bulacan comprises the provinces of Bulacan, Pampanga, Tarlac, Nueva Ecija, and Bataan.

Third. Ilocos comprises the provinces of Ilocos Sur, Ilocos Norte, Union, Abra, Lepanto, Bontoc, Benguet, Pangasinan, and Zambales.

Fourth. Cagayan comprises the provinces of Cagayan, Isabela-de-Luzon, Nueva Vizcaya, Islas Batanes and Baduyanes.

Fifth. Cavite comprises this province, except the towns enumerated in the first region, the province of Laguna, Morong, except the towns likewise incorporated in the first region, Infanta, Principe, Polillo, and Tayabas.

Sixth. Batangas comprises the provinces of Batangas and Mindoro, with Marinduque and the other adjacent islands.

Seventh. Albay comprises the provinces of Albay, Camarines, Sorsogon, Cataanduanes, Burias, Mastabe, and Ticao, and the towns of

the north coast and of the eastern parts of Samar up to Borongan, including the latter.

Eighth. Panay comprises the provinces of Iloilo, Capiz, Antique, Concepcion, Romblon, Tablas, Sibuyan, Calamianes, Cagayancillos, the groups of Cuyos and Guymaras.

Ninth. Negros comprises the island of Negros, in its eastern and western parts.

Tenth. Cebu comprises the provinces of Cebu, Leyte, the western coast of Samar, and the towns in the southern continuation of Dorongan, Bohol, Siquijor, Bantayan, Mactan, Camotes, and neighboring towns.

Eleventh. Mindanao comprises all the islands of Mindanao, Jolo, Basilan, and Paragua and neighboring islands.

ART. III. Each region enjoys complete legislative, governmental, and administrative autonomy, having power to dictate its own political constitution peculiar to itself, under the representative, republican, and responsible system indicated by this general constitution, by whose principles, declarations, and guarantees it must be inspired, with the exception that it can establish in any or all provinces of the region any generally practiced privilege worthy of respect.

It shall be a constitution peculiar to the region and shall insure principally the administration of justice, municipal government of towns, and primary education. Under these conditions the Federal government guarantees to every region the possession and exercise of its institutions.

ART. IV. The authorities who exercise the federal government reside in this city of Manila, which is declared the capital of the Philippine Islands, said authorities being the Governor-General, the secretaries of the government, of instruction and of public works, of the treasury and of agriculture, commerce and industry, the senate and the chamber of deputies, and the supreme court of justice.

ART. V. The federal government provides for the expenses of the nation from the funds of the national treasury, composed of the products of the properties and rents of the State, and the sale and location of uncultivated lands not included in the forestal zone, from the contributions and taxes which the general congress may establish equitably and in proportion to the population and the necessities of the general government and from any loans or use of credit which said congress may decree for urgencies of the nation or for undertakings of national utility.

ART. VI. Religious liberty is recognized in the archipelago and no religion can be established as official, notwithstanding the federal government countenances the Catholic parochial worship and Mohammedan worship in the towns which profess Islamism.

ART. VII. The following are Filipinos:

First. All persons born in Philippine territory.

Second. The children of Philippine fathers or mothers, although they may have been born outside the Philippines.

Third. Foreigners who have obtained certificates of naturalization.

Fourth. Foreigners who, not having obtained such certificates, have gained a residence in any town in Philippine territory.

A special law shall determine the conditions necessary to gain Philippine citizenship by naturalization or by residence.

TITLE II.

DECLARATIONS AND GUARANTIES.

ART. VIII. The federal government intervenes in the territory of the regions to guarantee the republican form of government or to repel invasions from the exterior, and at the request of their established authorites to maintain them, or if they have been displaced by sedition or invasion from another region to reestablish them.

It also intervenes in all matters of general interest which concerns it, according to law.

ART. IX. No region shall establish itself in the territory of another or of others, nor incorporate different regions in one, nor separate a province or town which belongs to one in order to incorporate it in another without the consent of the regions interested and of congress.

ART. X. The public acts and proceedings of one region shall be operative in the others, and congress, by general laws, can determine what shall be the probationary form of said acts and the legal results which they bring about.

ART. XI. The citizens of each region shall enjoy in the other regions all the rights, privileges, and immunities inherent in the title of citizen.

This natural right, common to all Philippine territory, can not be restricted by any of the public powers of the regions to which it belongs, nor by those of any other federal region except when there is an attempt made to use this right to evade some obligatory service of a local character.

The extradition of criminals is a reciprocal obligation between all the regions.

ART. XII. Every Philippine citizen, in conformity with the laws which regulate their use, shall enjoy the following rights:

(*a*) To work and to pursue all lawful industries.

(*b*) To navigate and engage in commerce.

(*c*) To enter and remain in Philippine territory, to travel therein, and to leave the same freely, provided that he prove his personal identity when it may be necessary.

(*d*) With the same liberty to publish his ideas and opinions orally or in writing, availing himself of the press or other similar means.

(*e*) To form associations for all the objects of human life not contrary to public morals.

(*f*) To direct petitions individually or collectively, not making use of any sort of armed force, to the public powers and to the authorities.

(*g*) To use and dispose of his property.

(*h*) To freely profess his religion.

(*i*) To teach and learn and to freely use the public suffrage authorized by law.

ART. XIII. No Filipino shall be detained except by order of competent authority, except when found in *flagrante delictu*.

ART. XIV. Every person arrested shall be set at liberty or turned over to the judicial authority within the twenty-four hours following the arrest.

Every arrest shall be held without effect or shall be brought to commitment to prison within seventy-two hours after the person arrested shall have been turned over to a judge or competent tribunal.

The disposition made of the case shall be communicated to the interested party within the same space of time.

ART. XV. No Filipino shall be arrested except by virtue of an order of a competent judge.

The warrant by which the order shall be fulfilled shall be approved or quashed, the presumed criminal having been heard, within the seventy-two hours following the acts of imprisonment.

ART. XVI. The domicile is inviolable, and no one can enter that of an inhabitant of the Philippines without his consent, except in the urgent cases of fire, flood, earthquake, or similar peril or of unlawful aggression, proceeding from within, or in order to aid a person calling for aid therefrom.

Said urgent cases being excepted, the entry into the domicile of a Filipino or foreigner resident in the Philippines and the examination of his papers or effects can only be decreed by a competent judge, and executed in the daytime.

The examination of papers and effects shall always be made in the presence of the interested party or of a member of his family, or in their absence, of two witnesses, who shall be residents of the same town.

Notwithstanding, in case of a person detected in *flagrante delictu*, and pursued by the authorities and their agents, and having taken refuge in his domicile, entry may be made for the purpose of arrest only. In case of his having taken refuge in the domicile of another a demand for him upon the owner must precede entry.

ART. XVII. No Filipino can be required to change his domicile or residence except by virtue of an executive decision.

ART. XVIII. All correspondence, public or private, and all kinds of private papers are inviolable. In no case can correspondence intrusted to the mails be detained, nor opened by the governing authorities, nor can telegraphic or telephonic communications be stopped, but by virtue of the decree of a competent judge, any correspondence sent by mail may be held and opened in the presence of the defendant.

ART. XIX. Every warrant of imprisonment, of examination of a dwelling, or of detention of written, telegraphic, or telephonic correspondence shall state its reasons.

When the warrant lacks this requisite, or when the reasons stated shall on trial be declared illegal or notoriously insufficient, the person who may have been arrested, or whose imprisonment shall not have been ratified within the terms specified by Article IX, or whose domicile may have been forcibly entered, or whose correspondence may have been detained, shall have the right to claim the damages resulting.

ART. XX. No Filipino shall be prosecuted or sentenced except by a judge or tribunal having jurisdiction in the case by virtue of laws antedating the offense and in the form prescribed by said laws.

ART. XXI. All persons detained or imprisoned without due process of law, except in cases provided for in this constitution, shall be set at liberty on their own petition or on that of any Filipino.

In criminal cases the law shall determine the method of procedure in this case, and the personal and pecuniary penalties to be incurred by anyone ordering, executing, or causing to be executed any unlawful arrest or imprisonment.

ART. XXII. Property is inviolable, and no one can be temporarily

or permanently deprived of his rights and property nor disturbed in the possession of them except by virtue of a judicial sentence. Functionaries infringing this provision under any pretext whatsoever shall be personally liable for damages caused.

ART. XXIII. No person shall be deprived of his property except in cases of necessity for public use, previously justified and declared by the proper authorities, the owner being indemnified in advance for such deprivation.

ART. XXIV. The confiscation of property is entirely prohibited.

No armed body can make examinations nor exact assistance of any description.

ART. XXV. Primary education is obligatory and can be acquired in the schools of the State, in private institutions, and at home, being gratuitous in the first-mentioned instance.

ART. XXVI. Every Filipino is obliged to defend the country by force of arms when called upon by law, and to contribute to the expenses of the State in proportion to his possessions.

Every inhabitant of the Philippines shall be obliged to pay the taxes, contributions, dues, and public charges that the fiscal laws may determine for the inhabitants in general.

ART. XXVII. In the Philippine Islands no prerogative of blood or birth nor personal privileges nor titles of nobility are recognized. All the inhabitants are equal before the law. Equality is recognized as the basis of taxes and public charges.

All the Filipinos are admissible to the (public) employments without other consideration than their fitness.

ART. XXVIII. The enumeration of the rights confirmed in this title does not imply the prohibition of any other not expressly dedicated.

ART. XXIX. Previous authorization shall not be necessary to institute a suit before ordinary tribunals against public functionaries, whatever may be the fault which they may have committed.

A superior mandate shall not exempt from responsibility in cases of manifest, clear, and definite infraction of a constitutional provision.

In other cases it shall only exempt the agents not having authority.

The guarantees conferred in *c*, *d*, *e*, *f*, *i*, of Article XII, and in Articles XII, XIV, XV, XVI, and XVIII can not be suspended in the whole or parts of the Archipelago, except temporarily and by means of a law when the security of the State demands it in extraordinary circumstances.

Such law having been promulgated in the territory to which it is to be applied, during such suspension a special law shall operate, accordingly as circumstances may require.

Both suspension and law shall be voted upon in the Senate and in Congress, and in case of these not being in session the Government is empowered to dictate them by agreement with the permanent commission without affecting the necessity of convoking the colegislative bodies with the greatest dispatch and giving them an account of what it may have done.

But by no law can other guarantees than those mentioned in the first paragraph of this article be suspended, nor the federal government be authorized to banish or deport any Filipino.

In no case can military or civil chiefs establish other penalty than that previously provided for by law.

ART. XXX.[1]

[1] Article XXX was omitted in the original pending consultation.

ART. XXXI. In the Philippines no one can be tried by privative laws nor by special tribunals. No person or corporation can hold privileges nor enjoy emoluments which are not compensation for some public service and are fixed by law. The jurisdiction of the army and navy extends only to those offences which are closely related to military and marine discipline.

ART. XXXII. No Filipino can establish systems of inheritence by the oldest sons nor institutions creating entail of property, nor accept honors, decorations, or titles of honor or nobility from foreign nations without the authorization of the government.

Neither can the federal government establish the institutions referred to in the preceding paragraph, nor bestow honors, decorations, nor titles of honor or nobility upon any Filipino, although distinguished services performed by citizens for the country may be rewarded pecuniarily by a special law voted by congress.

TITLE III.

LEGISLATIVE POWER.

ART. XXXIII. The senate and the chamber of deputies shall exercise the legislative power with equal powers, except in cases determined by this constitution, and both colegislative bodies in sessions shall form the national congress.

ART. XXXIV. The members of both bodies represent the whole nation, and not exclusively those electors who may appoint them, and can receive no imperative command from anyone.

ART. XXXV. Each one of the colegislative bodies shall be authorized to form its respective set of regulations for its own internal government; to inquire into the legality of elections and the legal fitness of its members; to appoint on being organized its President, Vice-President, and secretaries, who shall continue in office during two legislative sessions, unless the removal of any one of them and the election of another is agreed upon by an absolute majority, or unless any one of them ceases to be a senator or representative for any legal reason; to accept resignations and dismissals presented by its members, and to grant leaves of absence in accordance with its rules.

ART. XXXVI. The chamber of deputies can not meet unless the senate also meets, except when the senate constitutes itself a tribunal. Both bodies can not deliberate together nor in the presence of the governor-general, and the sessions of said bodies shall be public, except when the majority of each agrees to withhold them and that its sessions shall be secret. No public meetings shall be held in the neighborhood of the building in which the colegislative bodies hold their meetings when said meetings are open.

ART. XXXVII. No project or proposition can become a law before it has been voted upon article by article and as a whole in the two colegislative bodies. In order to pass laws, the presence in said bodies of one more than half of the total number of its members, whose acts have been approved and who have taken the oath, is required. If there should not be absolute agreement the chamber of deputies and the senate, they shall proceed, according to the special law which fixes their mutual relations, to appoint a mixed commission composed of four deputies and four senators, presided over by whomsoever may

be elected, and the resolution which they agree upon is the decision of the point in question.

ART. XXXVIII. The chamber of deputies and the senate have the right of censure, and each one of their members the right to be heard.

The proposal of the laws pertains to the federal government, the senate, and the chamber of deputies, but projects for laws concerning taxes, public credit, military and marine forces, and other plans implicating federal expense shall be presented to the chamber of deputies before being presented to the senate.

ART. XXXIX. The Governor-General, in the name of the President of the United States, shall have power to convoke congress that the chamber of deputies and the senate, respectively, may meet for extraordinary purposes. Both chambers may only hold a session together and in the same place in order to administer the oath to the Governor-General.

The senate and chamber of deputies open and close their sessions simultaneously, and neither of them can suspend their open sessions for a longer period than three days, without the consent of the other.

ART. XL. The formula for the oath to be taken by the Governor-General, members of the senate and the chamber of deputies, and functionaries of the Government having jurisdiction or not, is as follows: "To protect the federal constitution, each of the constitutions of the regions, and the laws which guarantee the autonomic rule of the Archipelago and their compliments."

ART. XLI. The Governor-General shall communicate with the chambers by means of his secretaries, who may be present during discussions and may vote in the chambers to which they may belong.

ART. XLII. No member of the chamber of deputies nor the senate can be prosecuted or molested for the opinions or votes which he may issue in the discharge of his office, nor can he be prosecuted without the previous authorization of the body to which he belongs, nor can the arrest or imprisonment of a senator or deputy be consummated without similar previous authorization, except in the case of his having been surprised in *flagrante*, in the commission of some serious crime, which deserves severe penalty, and then an account of the extent of his guilt shall at once be given to the respective chamber or to the permanent commission.

In any case the chamber or permanent commission shall act within the period of two days; otherwise authorization shall be understood to be given.

ART. XLIII. The deputy or senator accepting any pension, employment, or commission from the federal or a regional government shall be understood to have resigned his seat in the chamber. From this rule the office of secretary of the government office is excepted, and members of the supreme court may also be senators.

ART. XLIV. The services of the deputies and senators are remunerated by the national treasury at the rate of eight pesos per day for each legislator, such remuneration being discounted at the daily rate when the absence and nonassistance at sessions of members exceeds seven days from the date of definite organization of the chamber.

THE PERMANENT COMMISSION.

ART. XLV. The two chambers before closing their sessions shall, by an absolute majority of votes, elect seven deputies and five senators

who shall form their respective permanent commissions, which shall operate during the period in which the national congress is not in session. The president of each commission shall be the president of his chamber, or in his absence the vice-president, present in the capital by order of his appointment, and the secretaries being determined in a similar manner.

ART. XLVI. The duties and powers of the permanent commissions of the senate and chamber of deputies shall be to authorize or not the prosecution of any of their members, of the secretaries of the government office, of the president, and of the procurator-general of the supreme court of justice in the cases provided for in this constitution; to convoke their respective chambers in extraordinary sessions either in cases of the greatest urgency which demand immediate meetings or when it becomes necessary for the senate to constitute itself a tribunal of justice; to act upon pending business so that when congress meets it may be dispatched at once or to transmit finished business simply awaiting execution, and to represent their respective chambers in their relations with the executive and judicial power. They shall meet when convoked by their respective presidents.

THE SENATE.

ART. XLVII. The senate is composed of twenty-two members, eleven elective and eleven appointed by the governor-general, all of whom fulfill the following conditions:

To be elected or appointed senator the following requisites are indispensable: To be thirty-five years of age; to be a Filipino; to enjoy all the civil rights inherent in a citizen; to possess property whose annual income is not less than two thousand dollars, or, lacking this condition, to have been a deputy in two legislatures, a secretary of the government office for more than three years or three different times, or to be a member or procurador of the supreme court.

ART. XLVIII. The term of office of senators appointed by the governor-general is for life. Elective senators shall hold office during four years. Each time that a general election of deputies is held the senate will be changed by half of its elective members, decided on by lot, five senators going out of office at the end of the first legislature and six at the end of the following one, and so on, alternately. These senators are reeligible indefinitely.

ART. XLIX. Each one of the eleven regions of the Archipelago shall elect a senator by means of its regional legislature or congress, by a plurality of votes, whenever it may be necessary according to the rule established by this constitution. In case the seat of any senator shall become vacant, as a result of death, resignation, or incapacity, the region which he represents shall immediately take steps for the election of a new senator.

ART. L. The senate has power, at the request of the Governor-General, to authorize him to declare one or more provinces or islands of the Archipelago to be in a state of war in case of invasion or attack from abroad.

ART. LI. In case the senate convenes as a tribunal of justice its members should previously take an oath for the special acts which they are to perform. Its decision, dictated by a majority of two-thirds of its votes, shall only operate to unseat the accused and to declare him

incapable of holding any employment of honor, confidence, or in the pay of the nation. Furthermore, the person found guilty remains subject to a fresh accusation, trial, and punishment for his crime, according to the penal law, before the ordinary courts.

THE CHAMBER OF DEPUTIES.

ART. LII. The chamber of deputies shall be composed for the present of one hundred and ten members, who, on account of no census having been made, shall be apportioned to the eleven regions in the following manner, subject to rectification hereafter:

The first, second, third, eighth, and tenth regions shall elect and send twelve deputies each; the fifth and seventh, eleven deputies each; the sixth, ten; the fourth, seven; the ninth, six, and the eleventh, five.

ART. LIII. In order to be elected a deputy it is necessary to be a Filipino; to be twenty-five years of age, and to enjoy all the civil rights of a citizen.

The scheme of election and the conditions of voters shall be determined in the constitutional law of the regions.

ART. LIV. The chamber of deputies shall be entirely renewed every two years, within the three first days of the first week of the month of January of the corresponding year, and shall meet annually on the first Thursday of the month of February, unless some other day is designated by law, and shall remain in session at least four months of each year, not including the time consumed in its organization. Its sessions should end on the last day of said four months.

In case of any deputy's seat becoming vacant by death, resignation, incapacity, or any other cause, the regional government to which he belongs shall be promptly notified by the presidency of the chamber, and shall take steps for the election in the province or division of the population which is without a representative, a time of not more than twenty nor less than ten days between the announcement of the election and the election itself being indicated.

In case the chamber of deputies finds it necessary to exercise the right to accuse before the senate the secretaries of the cabinet, the members, the president, or attorney-general of the supreme court, in order to hold them responsible for malfeasance in office, or for crime in the exercise of their functions, or for common crimes, a majority vote of two-thirds of the members present shall be necessary to decide that it take such action.

TITLE IV.

ATTRIBUTES OF CONGRESS.

ART. LV. First. To legislate in matters of the customs and the valuation of goods, and to establish duties on imports and exports, all of which shall be uniform in the whole Archipelago.

Second. To impose and fix taxes, duties, and direct and indirect taxes, which shall also be uniform in all federal territory.

Third. To contract loans on the credit of the country.

Fourth. To arrange for the coinage of necessary moneys and to fix its value, as well as the value of foreign moneys, and a uniform scale of weights and measures.

Fifth. To regulate the use and disposal of lands belonging to the nation.

Sixth. To authorize the establishment of banks and their branches, and to govern their operations and issue of bank notes.

Seventh. To regulate the free navigation of rivers of the interior and to open ports and create or close custom-houses.

Eighth. To draw up and approve annually the budget of receipts and expenses of the federal government and administration, and to examine, reject, or approve the accounts of the use of national money.

Ninth. To make laws or civil codes—mercantile, penal, and judicial—for mining, water supplies, canal, and fishing rights; for railroads, mails, telegraphs, and telephones; those relative to citizenship and naturalization, emigration, and immigration; the colonization of national lands; the establishment of new industries, commerce on land and sea, and the concession of temporary privileges and rewards, and whatever laws may be necessary and fitting for the exercise of the dispositions of this constitution or conducive to the moral and material progress and the prosperity of the country; and, finally, the law governing the election of senators and deputies.

Tenth. To make laws to promote the culture and enlightenment of the inhabitants of the Archipelago, agreeing upon plans for general, primary, secondary, and university instruction, as well as for the application of science and the arts, and for literary copyright.

Eleventh. To make laws conducive to the establishment of governmental and administrative organizations, both federal and regional, and laws to determine the boundaries of the Archipelago and of the regions in case of alteration or litigation.

Twelfth. To establish courts inferior to the superior court of justice, if it shall consider them necessary, in addition to those provided for by this constitution, and to decree honors, pensions, and general and personal amnesties.

Thirteenth. To be heard by the Government of the United States, by means of the Governor-General, in order to avoid prejudice and harm which the Archipelago and its inhabitants might suffer through political and commercial treaties made and concluded with other nations by said Government of the United States.

Fourteenth. In time of war, to determine and assemble the militia on land and sea which should be mobilized, to authorize the expenses necessary for its maintenance, and to determine the region or regions which are to furnish it, both for the purpose of executing the federal laws and, whenever necessary, to put down insurrections and to repulse invasions from abroad and, finally, to make ordinances and regulations for recruiting, management and discipline of the militia and of the army which it is deemed necessary to create.

Fifteenth. To declare one or more provinces or regions to be in a state of war in case of internal disturbance, previously dictating the laws to be observed in such a contingency.

ART. LVI. Any proposed law, having been approved by the chamber of deputies, passes to the senate for its discussion. If approved also by this body without any change, it shall be immediately sent to the Governor-General for his examination, and if it also meets with his approval the federal government shall promulgate it as a law to be executed by means of the necessary force, from the twentieth day after its publication in the federal capital.

ART. LVII. Every proposed law not returned within the time of ten working days shall be considered to be approved by the Governor-General, within which time he may make use of the right of veto which this constitution confers upon him. In which case he shall return the bill, with a detailed statement upon which the veto is founded, signed by the Governor-General, and countersigned by the proper secretary to the chamber where it originated. Upon this said chamber shall examine and discuss it anew with the objections sent with it, and if it is confirmed by a majority of two-thirds part of the votes present, the bill passes to the other chamber. If confirmed here by an equal majority, the bill passes again to the Governor-General for its promulgation within said term of ten days.

In case the Governor-General makes use of the veto for reasons which he communicates in detail to the chamber where the bill originated within the said term of ten days, the promulgation of the law shall be suspended, under federal responsibility, until the following annual legislature.

In case the chamber in which the bill originated should by said majority of two-thirds of the votes present insist upon again presenting the proposed law, the proposed law becomes a law in fact, and shall at once pass to the Governor-General for its promulgation.

ART. LVIII. In sanctioning laws, this formula shall be used: "The Senate and Chamber of Deputies of the Philippine Islands in Congress assembled, decree by power of law * * * .

TITLE V.

THE GOVERNOR-GENERAL.

ART. LIX. A governor-general, appointed by the President of the United States, shall exercise the supreme federal government in the name of the people and Republic of the United States and of their President. This functionary is of a civil character, and shall have the superior command of the land and sea forces of the Archipelago. All other authorities of the Republic shall be subordinate to him and he shall be responsible for the preservation of the order, peace, security of the islands and the fulfillment of this constitution, being obliged upon entering upon his office to take the proper oath before congress, presided over by the president of the senate.

The Governor-General shall be responsible to the Government and Congress or to the Supreme Court of the United States, according to the laws of the same.

ART. LX. The Governor-General as a representative of the President of the United States shall exercise his functions assisted by his secretaries of the cabinet, and none of his decisions or resolutions can take effect unless it has been referred to the proper secretary, who is responsible for the performance of the decree or resolution when he has received it.

No functionary shall fulfill any decree or resolution of the Governor-General unless this requisite form is observed.

ART. LXI. The functions of the Governor-General are:

First. To provide for the promulgation, the publication and execution in the Islands of the laws, decrees, treaties, agreements, international measures and other legal dispositions of a federal character issued by the legislative power.

Second. To appoint civil and military employees, according to the laws and regulations of each institution, and to freely appoint and remove the individuals administering the offices of secretaries of the cabinet.

Third. To exercise the pardoning power, according to law, to suspend the execution of capital punishment, in the name of the President of the United States, and to secure pardon or commutation of said penalty, in agreement with the cabinet of said secretaries.

Fourth. To suspend, said cabinet of secretaries agreeing, the guarantees expressed in former articles and in article 30 of this constitution, taking whatever measures he may deem necessary to preserve the internal peace and the security and the integrity of the territory.

Fifth. To take care that all rights, immunities, and privileges recognized in this constitution are respected, and that all laws, dispositions, and regulations of federal, regional, or municipal nature are carried out, and that speedy and complete justice is administered in the country.

Sixth. To suspend and dismiss the civil and military functionaries whose appointment is in the power of the federal government, the cabinet of secretaries agreeing, at the responsibility of said cabinet and in conformity with the laws previously in force.

THE SECRETARIES OF THE CABINET.

ART. LXII. The secretaries of the cabinet are four, and are: Secretary of State, of the Treasury, of Instruction and Public Works, of Agriculture, Commerce, and Industry, and the secretary or secretarie which the Government of the United States may designate to carry on the affairs of War and Marine, Customs, and Mails, and Telegraphs.

The vice-presidency of the cabinet shall be held by the secretary designated by the Governor-General from among those mentioned.

The increase or diminution of the secretaries of the cabinet, as well as the determination of the business which belongs to each is in the power of the federal congress.

ART. LXIII. The secretaries of the cabinet may be members of either chamber, or others not deputies or senators. All shall have right of entry and a seat in the chamber in which their presence may be necessary, and may take part in discussions, but shall only have a vote in case he is a member of the chamber. All are collectively and individually responsible for their acts to the colegislative bodies, according to the laws of procedure and the penal laws.

The secretaries may not by themselves agree nor resolve upon anything of a general organic or regulating character, except in matters concerning the internal administrative and economical rule of their respective departments, although such resolutions may be within the provisions of law.

(Here a title containing sundry comprehensive articles or articles referring to the judicial power is omitted.)

TITLE VII.

REGIONAL GOVERNMENT.

ART. —. The regions reserve all power not delegated by this constitution to the Federal Government. In each is recognized the power of forming its own regional institutions, to lay down the laws neces-

sary to this end, to govern itself by said laws, to elect, by direct suffrage, the members of its legislative chambers, said chambers having the right to elect the lieutenant-governors of provinces, although the veto of the regional government can suspend the possession of said lieutenant-governor until any incident which may arise is definitely settled.

ART. —. Each region is authorized to dictate and form its own constitution and all laws and dispositions relative to the election of regional deputies and senators and to the members of municipal governments, determining the conditions, personality, and fitness of the voters, the form of the election, the distribution and division of the towns, and the point where the voters are to exercise their right of suffrage; to make laws conducive to the prosecution of public works, of commerce, navigation, and communication in the interior, agriculture and industry, and laws concerning hygiene, education, moral and material progress, and the prosperity of the region and its inhabitants.

ART. —. The regional congress can not pass any code or law of a general character nor infringe upon the attributes and powers of the Federal Government. The presidents of regional legislatures shall give account or advice to the presidents of the federal senate and chamber of deputies of all laws, resolutions, and regulations which they may have adopted. The office of federal deputy or senator is not incompatible with that of regional deputy or senator.

Questions between two or more regions are submitted to and shall be settled by the supreme court of justice. Actual strife and hostilities between two or more regions are considered acts of civil war, which the federal government should suppress and put down, in conformity with the federal law.

ART. —. Regional governors are the natural agents and delegates of the Governor-General and of the federal government to cause this constitution and all the laws dictated for the autonomic rule of this Archipelago to be fulfilled.

TITLE —.

ART. —. At the suggestion of the government, or by virtue of a proposition presented and signed in the chamber of deputies by seven of its members and by five in the senate, the reform of this constitution may be agreed upon, provided that a two-thirds majority of each chamber declares that it is its opinion that there is a necessity for such deliberation. This declaration having been made, a comprehensive statement of the article or articles which are to be modified and of those which are to be substituted for them shall be laid upon the presidential table, and, twelve days having passed, its discussion shall be proceeded with in the ordinary form, a two-thirds of the votes present being necessary to approve each of the articles and the whole of the proposed reform.

TEMPORARY DISPOSITION.

While the codes and complementary and organic laws are being drawn up and the country is being organized according to this constitution those laws and codes in force before the 13th of August, 1898, with the modifications made by the government of occupation, shall be considered in force until the promulgation of said codes and laws.

S. RO A. PATERNO.

EXHIBIT VII.

PATERNO'S SCHEME OF GOVERNMENT.

The Spanish Sovereignty and the Philippine Autonomy.

I
General Government
Sovereignty of Spain.

To which belong

—Representation and authority of the King, which is the nation.
—Guardianship and defense of the State constitution.
—Faculties inherent to the *Patronato de Indias* (Lordship over the Indies).
—Responsibility for the preservation of order and the security of the Philippines.
—Army.
—Navy.
—Courts of justice.
—Diplomatic representation.
—General administration of the archipelago (as allowed in the general estimate for the State).
—Direction of the general policy.
—Vigilance for the faithful observance of the law.
—Decision on all conflicts between corporations and entities.
—Constant relations between the Philippines and the sovereign State.
—Appointment and dismissal of the representatives in the several branches of the executive, in accordance with the general laws of the nation. (Appointment and dismissal of Philippine ministers.)
—Declaring null and void and suspending all resolutions of the assembly when they are ulra vires or when they are contrary to the national interests.
—Exercise of clemency in the name of the King and suspension of execution in cases of capital punishment.

NOTE.—*The council of the ministers of the Kingdom shall decide on cases of responsibilities incurred by the Governor-General, and shall be amenable to the supreme tribunal of the nation.*

All that pertains to the general life of the Spanish nation.

II
The Assembly
Representation of the Archipelago.
Legislative power.

To which belong

—Public local administration or interests which are purely and exclusively Philippine, in conformity with a principle of radical decentralization, under the unity of the State and assuming the integrity of the Spanish mother country, such as:
—Administration of local justice; administrative organization; territorial, provincial, municipal, or judicial division, establishment and police of towns; Philippine militia; electoral proceedings; institution of the census; qualification of electors; how to exercise the suffrage, particularly as regards the election of Philippine deputies to the Spanish Cortes as a token of the strong ties that bind the Philippines and the mother country.
—Public education.
—Public works and communications (roads).
—Charities and sanitation.
—Agriculture, industry, commerce, taxes, tariff, and treaties of commerce relative to the Philippines.
—Public credit—banks and currency.
—Immigration.
—Waterworks.
—Ports.
—Workingmen. (Labor.)
—Voting and preparing the estimate of local revenues and expenditures, stating their nature, object, and ends, without encroaching, however, on the functions of the sovereignty as regards the general budget of the nation.
—Making proposals to the central Government relative to the abrogation or amendment of the laws in force in the Kingdom, projected laws on given subjects, and executive dispositions touching the Philippines.*
—Administering to the Governor-General the oath that binds him to uphold the constitution, and the laws guaranteeing the Philippine autonomy, and to make effective the responsibility of the Philippine ministers.

All that pertains to the private life of the Philippine nation.

III
The Council of Government
Responsibility of the Ministers.
Executive power.

This is composed of

The President.	Their duties are to make effective the national laws and the statutes, and all other acts of the Philippine Assembly.
The Minister of Finance.	
The Minister of Grace and Justice.	
The Minister of Government.	
Interior Administration.	
The Minister of Public Education.	—They are responsible for their actions before the Assembly.
The Minister of Public Works and Communications.	—No act of the Governor-General will be enforced unless countersigned by one of the ministers or secretaries of the executive.
The Minister of Agriculture, Industry, and Commerce.	

g questions, among others, shall be submitted to the attention and decision of the public powers:
QUESTIONS.—The identity of the civil and political rights of the Spaniards in either of the hemispheres, or constitutional equality of the peninsulars an
individual rights which guarantee to all Spaniards the freedom of the press, of reunion and association; immunity of the home, the individual, the c
; the right of petition; religious freedom and the freedom of science, either in education or in books.

Exhibit VIII.

KIRKWOOD'S MEMORANDUM ON THE ADMINISTRATION OF BRITISH DEPENDENCIES IN THE ORIENT.

Memorandum setting forth briefly some facts and figures regarding ne civil administration of India (in particular of Burma) and of Ceyon, the Federated Malay States, and the Straits Settlements, as well as ne military force employed.

MONTAGUE KIRKWOOD.

TOKYO, *October 6, 1899.*

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PART I.—ADMINISTRATION.

1. INDIA.

1. India is governed in England through the secretary of state for India, who is a cabinet minister, and who acts in most cases in concert with his council, called the council of India; while in India the supreme authority is vested in the governor-general (viceroy), who, with but few exceptions, exercises his power "in council;" that is, with the advice of his executive or legislative councils.

2. The council of India consists of experts. It can not have more than 15 or less than 10 members. Three having professional or other qualifications may be appointed for life; the others are appointed for ten years. This term may, in special cases (and for special reasons), but subject to the approval of Parliament, be extended for five years more.

The usual qualification for a member of council is that he shall have served or resided in India for at least ten years, and that it is not as much as ten years since he left India. Ordinary civilians, as well as ex-officials, are eligible.

3. The governor-general of India is appointed by the Crown. No period of time is by law fixed for his tenure of office, but it is by custom regarded as limited to five years.

4. The governor-general's council consists of five ordinary members, appointed by the Crown. A sixth ordinary member may be appointed for public works. The commander in chief in India may also be, and in practice always is, an extraordinary member of the council.

5. For purposes of legislation the council has added to it additional members, nominated by the governor-general, which must not be less than 10 nor more than 16, and of which officials must not number more than half. Rules with respect to such nomination are made by the governor-general with the approval of the secretary for state.

On the 1st of January, 1899, such council consisted of 5 official members and 7 nonofficial members, of whom 5 were natives. Four of the nonofficial members are appointed by the governor-general on the recommendation of a majority of the nonofficial additional mem bers of the provincial legislatures of Madras, Bombay, Bengal, and the northwestern provinces and Oudh, each legislature recommending one member. A fifth nonofficial member is recommended by the Calcutta Chamber of Commerce.

6. In the provinces of Madras and Bombay there is a governor with a council, the ordinary members of which—two in number—are appointed by the Crown. To these ordinary members are added, for the making of laws and regulations, 20 additional members, of whom not more than 9 can be officials, whilst of the 11 nonofficial members the greater part are recommended to the governor by various bodies, such as municipalities, classes of large landholders, and so forth, as the governor in council may prescribe in order to obtain "a fair representation of the different classes of the community." On the 1st of January, 1899, 11 of the members of the Bombay legislative council were natives and 10 of the Madras.

7. In the other great provinces of India, viz, Bengal, the northwestern provinces, the Punjab, and Burma (since 1897), the constitution of the government is different. These provinces are administered by lieu-

tenant-governors, who must have served in India at least ten years. They are appointed by the governor-general, with the approval of the Crown, and are always selected from members of the India civil service. These lieutenant-governors have no councils for executive business, but the governor-general may appoint for them a legislative council, which has in each case been done. In Bengal the legislative council at present consists of 17 members, besides the lieutenant-governor, of whom 9 are natives; in the northwestern provinces and Oudh of 12 members, of whom 6 are natives; in the Punjab of 9, of whom 4 are natives, and in Burma of 9, of whom 2 are natives.

8. In India the unit of administration is the district. Every province or presidency is divided into districts, each of which has its separate organization. The details of organization differ considerably in the various provinces, but the general principles on which the administrative system is based do not greatly vary.

9. The "districts" are grouped into "divisions," each of which is in charge of a "commissioner."

Every district is partitioned into subdivisions. Each revenue subdivision is in charge of a native of high position.

Under each district officer there is generally a deputy for the management of the work of the district, and one or more assistants. These officials are members of the covenanted civil service, and are consequently almost always Englishmen owing to the few natives that have passed the requisite examinations.

10. Every district is divided into a number of police divisions. The officials in charge of these police divisions are generally natives, and they have under them constables, clerks, etc.

In each police division every village or circle of villages has, according to ancient custom, its "chaukidar" or village watchman, who has to report to the police all matters they should know.

At the headquarters of each district there is a district superintendent of police. With the assistance of inspectors and others he supervises, subject to the general control of the district officer, all the police affairs of the district.

Every district has its jail and prisons, its staff of engineers for constructing and maintaining its roads, bridges, and other public works and buildings, its hospitals, post and telegraph offices, and schools.

11. The schools connected with the educational department are, generally speaking, of three kinds. Several villages are grouped together into circles, each of which has its school for the poorer classes, and in which is chiefly taught, in the vernacular, reading, writing, arithmetic, and a little geography. For more advanced education there is in each revenue subdivision a school teaching, also in the vernacular, Indian history, geography, arithmetic, algebra, the elements of natural science, and other subjects, while at the seat of government of the district is a school of a still larger description in which English is taught.

There are besides these many purely native schools not aided by government, and also some schools, conducted by private persons, in receipt of grants in aid from the government.

12. Most large towns have their municipalities, which are found of the greatest use in cooperating with the government officials in the management of sanitary matters, roads, schools, hospitals, etc., while similar boards exist in the rural districts. It has been the aim of the authorities to promote an intelligent interest in local self-government

in India, but the people do not for the most part concern themselves much with such questions, and while imperial taxation is willingly met, local taxes are grudgingly imposed and often with difficulty collected.

13. The principal civil offices in India are mostly held by members of the covenanted India civil service or India civil service proper, who have obtained admission after passing competitive examinations held in England. Any British subject may become a member of such service, the Queen's proclamation running "so far as may be, our subjects of whatever race or creed shall be freely and impartially admitted to office in our service the duties of which they may be qualified by their education, ability, and integrity to discharge."

To give further facilities for the employment of natives a statute was passed in 1870 giving the governor-general, subject to the sanction of the secretary of state, power to make rules for the employment, in the same capacity as members of the covenanted civil service, natives of "proved merit and ability."

In 1886 an influential commission was appointed to investigate the whole question of the employment of natives and as a result of its report, which was unanimous, a modified system was established. The higher branches of the executive and judicial administration became divided into two sections:

(1) An imperial service called the civil service of India, to which admission can only be obtained by competitive examination in England, but open to all subjects of the Queen, without distinction of race.

(2) A provincial service recruited in each province under conditions suitable to local circumstances, and consisting for the greater part of natives of the province.

14. On the 1st of January, 1899, there were 997 Englishmen in the civil service proper of India. The area of British India and the feudatory native states is approximately 1,500,000 square miles, with an estimated population of over 300,000,000, of which British India alone has an area of nearly 1,000,000 square miles and a population of over 230,000,000. The whole of the higher executive and judicial work in this immense area and over this enormous population is performed by these 1,000 officials (in round numbers) with the aid of natives, or an average of one such European official to every 1,000 square miles of country and to every 230,000 inhabitants.

NOTE.—It must be borne in mind that the amount of furlough "earned" by an official is one-fourth of his active service, so that one-fifth of the total of the above-referred to civil servants are always absent on leave.

15. As an example of Indian administration I shall in this memorandum take the province of Burma as being the latest to come under British rule.

2. CEYLON.

16. The government of Ceylon is administered by a governor, aided by an executive council of 5 members, namely, the lieutenant-governor and colonial secretary, the officer commanding the troops, the attorney-general, the auditor-general, and the treasurer, and by a legislative council of 17 members, consisting of the members of the executive council, 4 other officeholders, and 8 nominated unofficial members.

17. The governor is appointed by the Crown, to hold office during the Queen's pleasure, but his period of office is, as a rule, confined to a period of six years from the assumption of his duties. The "4 other

officeholders" are generally the government agents of the two chief provinces, the principal collector of customs, and the director of public works.

The "8 nominated unofficial members" are at present 1 Tamil, representing Tamil interests; 1 Englishman, representing planting interests; 1 Englishman, representing mercantile interests; 1 Singhalese, representing Singhalese interests; 1 Englishman, representing general European interests; 1 Moorman, representing Mahommedan interests; 1 Eurasian, representing Eurasian interests; 1 Singhalese (of Kandy), representing Kandyan interests.

18. All bills before they are discussed by the legislative council have to be published in at least two numbers of the Official Gazette. This publicity enables an expression of public opinion in the press and otherwise before any measure is debated.

19. For purposes of general administration, Ceylon is divided into 9 "provinces" presided over by "government agents," who correspond to "district" officers in India (pars. 8, 9), and each of these provinces is divided into districts. The government agent is at the same time district agent of the district in which is situated the seat of the provincial government. Each outlying district is in charge of an assistant government agent under the government agent.

20. Each district is divided into divisions, each of which is looked after by a chief headman ("mudaliyar"); each division, if too large for the "mudaliyar" to supervise, is divided into subdivisions, which are in charge of smaller headmen ("muhandicams"). The divisions or subdivisions are again divided up into groups of villages under "arachis."

21. The government agent of a province is generally relieved of his judicial duties by a district judge, also an official of the civil service proper. His chief duties then are to collect the revenue; to act as chairman of the provincial and of the district road committees, of the municipal council, of the local health board, and of the provincial irrigation board; to register marriages, births, and deaths; to superintend the police, both regular and rural; and to supervise all irrigation matters.

22. The civil service proper of Ceylon is restricted to those officials who discharge executive duties in the administrative, revenue, and judicial branches of the service, and does not as a rule comprise those other officials who require some special professional or scientific education.

The Ceylon civil service proper is, like that of India, open to all subjects of the Queen irrespective of creed or race. The vacancies are filled up by competitive examinations. It consists of about 75 members, of whom 7 are Eurasians or natives. With the exception of 3 judges of the supreme court (par. 94), the principal judicial work as well as the administrative work is discharged by these officials, so that 68 members of the civil service proper and 3 judges, or in all 71 officials, constitute the British power necessary for the civil government of an area of about 25,000 square miles and of a population of more than 3,500,000.

3. THE FEDERATED MALAY STATES.

23. The government of each State consists of the sultan, advised by the British resident, and assisted by a council of state composed of

the sultan, the resident, the secretary to the government of the State, several of the leading Malay chiefs (five to eight), and one or two of the leading Chinese.

Subordinate to the British resident is a staff of officials; British, Malay, and Eurasian in the higher offices, and of various races in the lower ones.

Over the four States is a resident-general, as well as certain other federal officials.

The resident of each State is appointed by the secretary of state for the colonies, and acts under the instructions of the resident-general and of the governor of the Straits Settlements, who is also chief commissioner of the federated Malay States.

24. Each State is divided into districts for administrative purposes, varying from about 2,000 to 500 square miles each.

The officers in charge of these are called "district magistrates," the chief duties of such an official being:

(1) To hold courts, both civil and criminal, at the chief place of the district and at outlying places on days fixed by the resident.

(2) To act as coroner.

(3) To superintend the land office of the district.

(4) To collect revenue of all kinds and to manage the subtreasury of the district where no special official is appointed.

(5) To maintain order and to suppress crime.

(6) To pay attention to sanitation and take all proper precautions on the outbreak of infectious diseases.

(7) To frequently and carefully visit jails, hospitals, asylums, and other public institutions.

(8) To frequently visit all vernacular schools, encourage education, and support the efforts of the inspector of schools.

(9 To encourage and foster every industry—agricultural, commercial, or otherwise.

(10) To make monthly and annual reports, the former taking more the form of a journal setting forth what has occurred, what he has done, where he has been, etc.

25. Every district is divided into divisions, at the head of which is a native headman. They exercise a limited jurisdiction and have considerable local power.

4. THE STRAITS SETTLEMENTS.

26. The Straits Settlements consist of Singapore, Penang (including Province Wellesley and the Dindings), and Malacca.

27. The colony is administered by a governor, aided by an executive and a legislative council.

The executive council is presided over by the governor and is composed of the officer commanding the troops, the colonial secretary, the resident councilors of Penang and Malacca, the attorney-general, the treasurer, the auditor-general, and the colonial engineer.

The legislative council is also presided over by the governor, and consists of nine official and seven unofficial members. Of the latter five are nominated by the governor and two by the chambers of commerce of Singapore and Penang.

Part II.—Area, Population, Religion, Races.

1. BURMA.

28. The estimated area, exclusive of the tributary Shan States, which are nevertheless under British supervision, is 183,485 square miles, of which Upper Burma (annexed 1886) has 95,654 square miles and Lower Burma 87,831.

29. The population is to-day probably over 10,000,000. The last census (1891) showed a total of 8,146,855, of which Lower Burma had 4,658,627 and Upper Burma 3,112,267, or an average number of 53.04 inhabitants per square mile in Lower Burma and 32.54 in Upper Burma.

30. The principal religion is Buddhism. About 800,000 of the inhabitants come from India proper, and there are about 70,000 Chinese and 40,000 Europeans and Eurasians. These latter are chiefly officials and traders. The Chinese are also traders and shopkeepers. The Indians are employed on every kind of labor. More than three-fourths of the total population are engaged in agriculture.

2. CEYLON.

31. The area is 25,365 square miles, with a population of probably over 3,500,000, the last census (1891) showing 3,007,789 persons. Taking the former figure we have an average number of 137.59 inhabitants to the square mile.

32. The principal religion is Buddhism; but there are about 600,000 Hindoos, 300,000 Christians, and 200,000 Mohammedans.

33. The Singhalese number about 2,250,000. Constituting the balance of the population, there are about 1,000,000 Tamils from South India, and over 200,000 Moormen and 10,000 Malays. The Eurasians amount to about 25,000, while there are only about 5,500 Europeans. Nearly three-fourths of the total population is engaged in agriculture.

3. THE FEDERATED MALAY STATES.

34. The area of the four federated States is about 25,000 square miles with a population estimated at about 700,000.

In Perak there is an average of about 40 persons to the square mile, while in Pahang it is only about 6.

In Perak and Selangor the Chinese population equals, if it does not exceed, the Malay. Tamils from South India number over 30,000, and are chiefly employed as laborers on coffee and other agricultural estates.

4. THE STRAITS SETTLEMENTS.

35. The area of the Straits Settlements is only about 1,542 square miles, with a population now estimated at over 600,000, the last census taken in 1891 showing 548,536. On the above estimate the population would show an average of about 400 to the square mile.

In 1891 there were 247,751 Chinese, 223,973 Malays, 57,896 Indians, and 7,239 Europeans, as well as Eurasians and other nationalities.

Part III.—Finance.

1. BURMA.

36. The finances of the province of India are controlled to a great extent by an elaborate arrangement under which the provincial governments are quinquennially assigned certain portions of certain of the imperial revenues of India.

The revenue for Burma for 1895–96 was 60,683,538 rupees, and for the expenditure 41,355,038 rupees.

37. The chief sources of revenue of Lower Burma are the following, with the gross amounts collected for 1895–96:

	Rupees.
(1) Land revenue proper	11,246,893
(2) Customs	10,456,462
(3) Capitation tax	3,942,854
(4) Forests	3,414,540
(5) Fisheries	1,688,276
(6) Excise	1,589,152
(7) Opium	1,531,960
(8) Stamps	1,360,001

38. The chief sources of revenue in Upper Burma are the following, with the gross amounts collected for 1895–96. Upper Burma having no seaboard, no customs are collected, all exports and imports passing through the ports of Lower Burma, and the income derived therefrom appearing in the item of customs given in the above paragraph.

	Rupees.
(1) Thathameda or household tax	5,351,687
(2) Forests	2,281,283
(3) State land rents	1,267,104
(4) Land revenue (miscellaneous)	1,097,235
(5) Excise	349,821
(6) Stamps	344,476
(7) Opium	291,098

The household tax and state land revenue was considerably below the average in this year owing to a very bad season and consequent large remissions made.

39. In Lower Burma the incidence per acre of land revenue on the total area assessed was for the year 1895-96 under $1\frac{3}{4}$ rupees per acre, while for each acre cultivated it was nearly 2 rupees.

In Upper Burma the incidence per acre on each cultivated acre was $1\frac{3}{4}$ rupees.

40. In Lower Burma the taxes which the agriculturist pays more or less directly are: (1) Land revenue; (2) cess on land revenue for local expenses; (3) capitation tax; (4) export duty on rice.

The incidence of these per acre of cultivated area is somewhat as follows:

	Rupees.
Land revenue	1.91
Cess	.19
Capitation tax	.49
Export duty on rice	1.08
Total	3.67

The incidence of all taxation per head in Upper Burma is about 3.80 rupees. Persons living within municipalities have to bear a municipal taxation amounting in the average to about 3 rupees a head.

41. The expenditure for Burma for 1895–96 was 41,355,038 rupees. The chief items were: Police (civil and military), public works, general administration, and justice.

2. CEYLON.

42. The revenue for 1897 was 24,006,522 rupees and the expenditure 21,634,378 rupees, but if the items specified in paragraph 44 for railways, public works, charges on account of public debt (which is a money-earning debt incurred for public works), military expenditure, and pensions be eliminated, it will be noticed that the actual cost of civil government only amounts to about 9,000,000 rupees per annum, or about $3,000,000 United States gold.

43. The chief sources of revenue, taking the average of the past few years, are:

	Rupees.
Government railways, about	7,000,000
Customs, about	5,500,000
Excise, about	3,500,000
Stamps (revenue and judicial), about	1,500,000
Posts and telegraphs, about	750,000

There is no revenue derived directly from land in Ceylon. This is due to an erroneous policy in the past and a fear to correct it in the future so long as sufficient revenue from other sources is easily forthcoming.

44. The chief items of expenditure have been:

	Rupees.
Railways, about	3,500,000
Public works, about	3,500,000
Charges on account of public debt,[1] about	3,000,000
Contribution to military expenditure,[2] about	1,800,000
Provincial administration, about	1,100,000
Hospitals and dispensaries, about	1,000,000
Pensions, about	920,000
Post-offices and telegraphs, about	850,000
Education, about	730,000
Police, about	700,000
Law and justice, about	620,000
Forests, about	520,000
Prisons, about	505,000

3. THE FEDERATED MALAY STATES.

45. I take as examples the two States of Perak and Selangor and their closed accounts for 1896.

In 1875, the first year that British administration was introduced, the revenue of the State of Perak was $226,233 and of Selangor $115,651. In 1890 it had reached $2,504,116 for Perak and $1,888,928 for Selangor, and in 1896 it came to $3,960,871 for Perak and $3,756,936 for Selangor. Every year continues to show an expansion. The dollars are silver Mexican dollars.

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[1] Incurred entirely for public works, e. g., 217 miles of railway, harbor works, etc.

[2] The figures for 1898 were higher (par. 67), the total being 1,900,976 rupees, made up of contribution to the Imperial Government for the regular troops 1,788,066 rupees and local payments for the volunteer corps 112,910 rupees.

46. The chief sources of revenue in 1896 in Perak, omitting hundreds, were:

	Mexican dollars.
Customs	2,030,000
Licenses	769,000
Railway receipts	509,000
Land revenue	280,000

And in Selangor:

Customs	1,816,000
Railway receipts	750,000
Licenses	563,000
Land revenue	134,000

47. The chief items of expenditure in the same year in Perak were:

	Mexican dollars.
Railways (exclusive of establishments)	886,000
Establishments	799,000
Roads, streets, and bridges	792,000
Works and buildings	506,000
Allowances to native chiefs	147,000
Medical (exclusive of establishments)	115,000

And in Selangor:

Roads, streets, and bridges	1,009,000
Railways	875,000
Establishments	498,000
Works and buildings	370,000
Medical (exclusive of establishments)	110,000

48. The items of roads, streets, and bridges, railways, and works and buildings, which may all be regarded as remunerative expenditure, amount in the case of Perak to more than one-half of the revenue, and in that of Selangor to about two-thirds.

I am not aware of any countries that are so cheaply administered and that have been able to develop themselves out of revenue in the same way as Perak and Selangor have done.

4. THE STRAITS SETTLEMENTS.

49. The revenue for 1897 amounted to $4,320,207 and the expenditure to $4,430,603.

50. These settlements are very lightly taxed, the chief sources of revenue, omitting hundreds, being:

	Mexican dollars.
Licenses	2,600,000
Stamps	260,000
Land revenue	243,000
Postage	207,000
Port and harbor dues	147,000

There are no import and export duties.

51. The expenditure consists chiefly of:

Military expenditure and volunteers	$825,000
Public works department, roads, works and buildings, and other public works	1,064,000

making the whole of the expenditure for the civil government and for justice, police, prisons, education, posts, hospitals, etc., amount to but little over $1,000,000 United States gold.

PART IV—SALARIES OF HIGHER OFFICIALS.

1. BURMA.

52. The following is the annual salary of some of the higher civil officials in Burma:

	Rupees.
1 lieutenant-governor	100,000
1 chief secretary to government	36,000
2 secretaries	21,600 to 22,000
2 undersecretaries	8,400 to 10,000
1 assistant secretary	8,400
1 financial commissioner	36,000
1 secretary to the financial commissioner	10,000
1 director of land records and agriculture	21,600
8 commissioners of division, each	30,000
8 deputy commissioners, first grade, each	22,000
10 deputy commissioners, second grade, each	20,000
10 deputy commissioners, third grade, each	16,000
6 deputy commissioners, fourth grade, each	14,400
10 assistant commissioners, first grade, each	12,000
12 assistant commissioners, second grade, each	8,400
13 assistant commissioners, third grade, each	7,200
42 assistant commissioners, fourth grade, each	6,000

All these are members of the civil service proper. For pure judicial officials, see paragraph —.

53. In the provincial civil service, about half of the posts in which are held by Burmans, the yearly pay varies from 9,600 to 3,600 rupees, while in the subordinate civil service, the members of which are all Burmans, it varies from 3,000 to 1,200 rupees.

2. CEYLON.

54. The yearly salary of the governor is 80,000 rupees, that of his aid-de-camp 5,154 rupees, and of his private secretary 3,000 rupees.

55. The following are the yearly salaries of the principal officials of the civil service proper:

	Rupees.
Colonial secretary	24,000
Treasurer	18,000
Auditor-general	18,000
Government agent—	
Western province	18,000
Central province	18,000
Northern province	18,000
Southern province	14,400
Eastern province	14,400
Northwestern province	14,400
North Central province	10,800
Uva province	10,800
Sabaragamuwa province	10,800
Collector of customs	14,400
Postmaster-general and director of telegraphs	9,600
District judge—	
Colombo	14,400
Kandy	14,400
Galle	14,400
Jaffna	12,000
Batticaloa	9,600
Kalutara	9,600
Kurunegala	9,600
Negombo	9,600
Ratnapura	7,200
Matara	7,200

56. The chief justice and the two other judges of the supreme court are not members of the civil service. The chief justice is paid yearly 25,000 rupees and each of the other judges 18,000 rupees.

57. The mudaliyars or chief headmen (see par. 20) are paid usually 720 rupees per annum. In the central province, perhaps the most important, there are nine mudaliyars.

3. THE FEDERATED MALAY STATES.

58. The resident general is paid $12,000 per annum and the other chief federal officials receive:

	Mexican dollars.
The judicial commissioner	9,600
The commandant of the Malay Sikh guides, who is also inspector of prisons	6,000
The commissioner of lands and mines	5,000
The commissioner of police	5,000

59. The chief State officials are paid as follows:

	Mexican dollars.
The resident (Perak)	9,600
The resident (Selangor)	8,400
The resident (Negri Sembilan)	6,000
The resident (Pahang)	6,000
Heads of departments	4,800 to 3,600
District officers	4,800 to 2,400

Cadets in the civil service proper begin on $1,500 a year.

60. Having regard to the heavy fall in the gold value of the Mexican dollars the officials of the civil service proper in the Malay States are, I think, underpaid, and should have their salaries raised from 25 to 50 per cent. The members of the service are almost without exception able, industrious, and energetic. They have done most excellent work.

4. THE STRAITS SETTLEMENTS.

61. The governor receives $28,800, as well as $5,000 for entertainment allowances. The salary of his aid-de-camp is $3,000, and his private secretary $1,800.

62. The following is the yearly pay of some of the chief colonial officials:

	Mexican dollars.
The colonial secretary	10,800
Assistant colonial secretary and clerk of council	6,000
Resident councilor:	
Penang	9,600
Malacca	7,800
Colonial treasurer	7,800
Colonial auditor-general	7,800
Colonial engineer	7,200
Protector of Chinese	6,000
Protector of immigrants (Penang)	4,800
District officers (Penang)	4,800 to 2,400

63. The pure judicial officials are paid:

	Mexican dollars.
Chief justice	12,000
2 Puisne judges, each	8,400
Attorney-general	9,000
6 magistrates (2 at $6,000; 2 at $3,600; 2 at $2,400)	

PART V.—MILITARY FORCES AND EXPENDITURE.

1. BURMA.

64. The total military force consists of about 15,000 men, of whom about one-third are British and two-thirds Asiatic (almost entirely Indians).

These in 1896 were distributed as follows:

Lower Burma:	
British	2,321
Asiatics	5,100
Upper Burma:	
British	2,222
Asiatics	4,825

65. The expenditure amounts to about 10,000,000 rupees, made up of—

	Rupees.
Pay	6,571,396
Commissariat	2,558,692
Clothing	211,728
Medical	168,422
Ordnance	42,186

The annual average pay of each Asiatic fighting soldier is 131 rupees, whilst of each British officer it is 4,917 rupees; of each native officer 887 rupees, and of each noncommissioned officer 306 rupees.

2. CEYLON.

66. The military force in Ceylon consists of a British infantry regiment, 2 companies of British artillery, 2 companies of Asiatic artillery, officered by British officers, and British engineers. The total force numbers about 1,700 officers and men.

Besides this force there is a volunteer corps of about 1,200 strong, consisting of infantry, mounted infantry, and artillery. Various nationalities are represented in the volunteer corps, and their numbers are continually changing, but the average proportion is—

Eurasians, about	475
British, about	275
Malays, about	150
Singhalese, about	125
Tamils, about	100
Others, about	75

The colonial government supplies arms, provides an armory and store and 20 rounds blank and 90 rounds ball per man per annum, and pays an adjutant, sergeant-major, quartermaster-sergeant, and ten instructors. It also grants an annual allowance of 50 rupees for each efficient officer of the rank of major or above, 30 rupees for each efficient officer below that rank, and 20 rupees for each efficient noncommissioned officer and private.

67. The contribution of the colony to the cost of the regular troops is fixed by Ordinance No. 2 of 1898 at 9½ per cent of the colonial revenue. In estimating the revenue the proceeds of land sales are excluded and only the net railway receipts are taken, i. e., from gross receipts are deducted (1) charges of working and maintenance, and (2) charges for interest and sinking fund on public debt for railway con-

struction (see par. 44). The contribution for 1898 was 1,788,066 rupees.

The government of the colony also pays annually 25,000 rupees in lieu of duty on things imported for the troops.

The cost of the volunteers for 1898 was 112,910 rupees.

The total cost to the colony for 1898 for regular troops and volunteers was, therefore, 1,900,976 rupees.

3. THE FEDERATED MALAY STATES.

68. The only military force in the States, now that they are federated, is a federal force called the "Malay States Guides." It is about 900 strong, with 10 British officers, the noncommissioned officers and men being Sikhs. They are a strikingly fine lot of men. Some 300 are quartered at Taping (Perak), 400 at Kuala Lumpur (Selangor), and the remainder in the other States.

4. THE STRAITS SETTLEMENTS.

69. The military force consists of one battalion of British infantry, two garrison companies of British artillery, half a company of British engineers, the Singapore company of Asiatic artillery, the Singapore company of Malay engineers (submarine), and departmental officials, etc.

There is also at Singapore a volunteer artillery corps, the strength of which is about 95 men.

70. Singapore is defended by forts and batteries armed with heavy ordnance, and by a system of submarine mines. The first cost of the forts was about £100,000, which the colony paid out of its revenues, the Imperial Government supplying the guns and ammunition. Since then further large sums have been expended.

71. The colony contributes yearly to the Imperial Government a sum of money by way of military contribution, which is also paid out of revenue. This sum is now fixed at 17½ per cent of the revenue of the colony, omitting from such calculation receipts from the sale of land and some other small items. The contribution is about $700,000. Besides this amount the colony had in 1897 to pay:

	Mexican dollars.
New barracks, Singapore[1]	110,000
Water supply	4,750
Lodging and rent allowed	8,000
Expenditure for volunteers	9,350

These items make a total expenditure by the colony for military purpose of about 830,000 Mexican dollars out of a revenue of about $4,000,000, or rather more than one-fifth.

This large military expenditure is in no way occasioned for keeping the peace in the colony itself. It is almost entirely required for purposes of external defense and by the necessity, owing to Singapore's position as one of the great links in the chain connecting England with Hongkong and the far east, of maintaining the island in a high state of defensive efficiency.

[1] $275,000 had already been paid in 1895 and 1896 by the colony for these.

PART VI—POLICE.

1. BURMA.

72. The police of Burma consists of a civil and military police. Besides these there is in certain districts a kind of village police, who assist the headman in discharging his duties, and who are appointed from among the villagers. They are not paid, except for very special service.

In addition to the ordinary civil police there is in Burma a system of quartering additional police as a punitive measure, the cost of which is, of course, borne by the inhabitants of the district so punished.

In any locality where dacoities or robberies are frequent, and the people make no effort to help themselves, the imposition of punitive police has been attended with success.

73. The civil police force in Lower Burma consists of:

Inspector-general	1
Deputy inspector-general	1
Assistant inspector-general	1
District and assistant district superintendents	53
Subordinate officers over and of 100 rupees a month	110
Subordinate officers under 100 rupees a month	787
Mounted police constables	20
Foot police	5,517
Water police	175
Total	6,665

And in Upper Burma:

Inspector-general, deputy inspector-general, assistant deputy inspector-general. These are at headquarters at Rangoon, Lower Burma, being the same three officials as occupy the position for Lower Burma.	
District and assistant district superintendents	46
Subordinate officers over and of 100 rupees a month	66
Subordinate officers under 100 rupees a month	526
Mounted police constables	427
Foot police	5,239
Water police	
Total	6,304

74. The total cost of the above police force is:

	Rupees.
Lower Burma	1,990,767
Upper Burma	1,572,930
Total	3,563,697

And their pay per month is as follows:

	Rupees.
Inspector-general	2,250
Deputy inspector-general	1,250
Assistant deputy inspector-general	1,000
District superintendents—	
First grade	900
Second grade	800
Third grade	700
Fourth grade	600
Fifth grade	500

	Rupees.
Assistant superintendent—	
First grade	400
Second grade	300
Third grade	250
Inspectors	150–120
Subordinate officers	Various.
Mounted police	24–23
Foot and water police	14–13

(14 rupees = $4.66 United States gold.

NOTE.—Much has from time to time been said about the pay of the police, and a question often asked is how a man can be expected to serve in the police on less pay than he could earn as a coolie. But the answer to this is that the police force in Burma is rarely much below the sanctioned strength, for there are many reasons which induce men to join it even on low pay. The coolie remains a coolie all his life and has to provide all his needs out of his earnings. The police constable has the prospect of rising through the grades to well-paid appointments. He is provided with clothes and with quarters. He enjoys a certain amount of consideration as an official, and if he remains in the force for a sufficiently long time he obtains a pension. These are substantial gains.

75. The proportion of the whole force of police (officers and men) to area and population is as follows:

	Square miles.
Lower Burma to area	1 to 13.13
Upper Burma to area	1 to 19
Lower Burma to population	1 to 697
Upper Burma to population	1 to 504

76. The races employed in the police force are—

Lower Burma:	
British of full blood	87
Eurasians	29
Asiatics	6,559
Upper Burma:	
British of full blood	75
Eurasians	15
Asiatics	6,214

These Asiatics in Upper Burma are almost entirely Burmans; in Lower Burma there are about 1,000 Indians.

77. The military police force was constituted in Burma, and more particularly in Upper Burma, to take in great measure the place of soldiers, and to discharge duties that could not fitly be performed by the civil police.

78. The sanctioned force for Lower Burma is 3,537 and for Upper Burma 12,091. These figures are exclusive of 44 British officers, taken from the Indian army, and who are the only Europeans in the whole force.

The much larger force required for Upper Burma is due to its being entirely surrounded on three sides, that is, on every side except where it is coterminous with Lower Burma, by high and extensive mountain tracts occupied by wild and savage tribes, while Lower Burma has these only on a part of its eastern and a small part of its western frontiers.

79. The total cost of the force and for transport ponies, cooks, transport drivers, and other followers, is:

	Rupees.
Lower Burma	834,648
Upper Burma	3,210,904
Total	4,045,552

80. The following is the constitution and pay of the force:

Rank.	Number.	Monthly pay.
British officers of the Indian army:		*Rupees.*
Commandants	12	374
Horse allowance		400
Adjutants	2	374
Horse allowance		400
Assistant commandants	30	225
Horse allowance		250–200
Naib commandant	1	300
Subadar major	1	200
Subadars	42	150
Do	64	100
Jemadars	107	65
Do	107	50
Havildars	214	30
Do	428	25
Naiks	428	20
Men and buglers	695	16
Do	1,390	15
Do	11,815	14

Nearly the whole of this force consists of Indians. The men are fine, tall men, for it is a valuable addition to such a force that the men should be fine, tall, and strong, and of a nature to impress the natives of wild tribes by their appearance. Indians selected from mountainous parts of India that have produced good fighting men fulfill such requirements. There are no Burmans proper in the force. The duties are not such as would suit them, and Burmans are for the most part not of a sufficiently fine physique for the work. Some of the hill tribesmen (Karens) have been recruited. Their special local knowledge, combined with loyalty, have made them valuable. The Buddhist religion, observed in Burma in its purest form and penetrating, as it does, into the very soul of the people, must always prevent them from being good fighting men and from taking kindly to a soldier's life. But this does not apply with the same force to the Karens and other hill tribesmen, who have not the same religious education and of whom many are "Nat" or spirit worshipers.

2. CEYLON.

81. The police force in Ceylon consists of a European force and an Asiatic force. Into the Asiatic force are admitted men of any nationality not European, on their being properly nominated and approved. Eurasians are classed for the police as not Europeans. Malays are found to make much better policemen than either Singhalese natives of India or Chinese. This accounts for the large number of Malays in the force. This employment of the best material, of the men that seem to do the work best for any particular service, is a characteristic feature of British administration in Burma, Ceylon, the Malay States, and the Straits Settlements. Where men among the real natives can be found equally or nearly equally competent with those of other nationalities for any employment, they are employed in preference to others, but they must show a fairly equal competence. In no other way can the administration be economically and efficiently conducted, or a proper spirit of emulation and ambition excited among the people.

82. The following statement shows the sanctioned strength and cost of the police force of Ceylon:

Rank.	Number.	Yearly pay.	Rank.	Number.	Yearly pay.
		Rupees.			*Rupees.*
Inspector-general	1	10,000	Second-class European sergeants	3	720
Superintendents	2	5,000	First-class European constables	3	660
Do	2	4,500	Do	2	600
Assistant superintendents	2	3,500	Second-class European constables	1	528
Do	4	3,000	Do	4	480
Registrar of servants and carts	1	1,320	First-class Asiatic sergeants	82	528
Do	1	330	Second-class Asiatic sergeants	117	352
Chief inspector	1	2,200	First-class Asiatic constables	283	270
Do	1	2,000	Second-class Asiatic constables	414	210
First-class inspectors	3	1,650	Third-class Asiatic constables	641	180
Second-class inspectors	9	1,320	Chief clerk	1	1,870
Third-class inspectors	9	1,100	Clerk and storekeeper	1	792
Do	1	1,000	Clerks	7	990–440
Fourth-class inspectors	1	924	Office coolies	2	90
Sergeant-majors	5	924	Powder-magazine keepers	3	396–150
Do	1	840			
Do	1	660	Total	1,682	483,832
First-class European sergeants	2	924			
Do	3	840			
Second-class European sergeants	4	792			

NOTE.—The Asiatic constables' pay in United States gold is about $7.50, $6, and $5 per month.

The inspector-general, superintendents, and assistant superintendents are paid rent allowance and 840 rupees a year for horse allowance. These officials are also allowed when traveling three-fourths rupee per mile, and the inspector-general 10 rupees, and the others 7.50 rupees a day for board and lodging.

Chief inspectors and inspectors also receive horse allowance, and when traveling one-half rupee per mile, and 4 rupees for board and lodging.

Asiatic sergeants and constables receive when traveling one-half rupee a mile, and two-fifths rupee a day for board and lodging.

About one-fourth of the total cost of the police force is paid by municipalities, towns, and rural districts.

83. The force is composed of the following nationalities:

British	25
Other Europeans	17
Eurasians	107
Singhalese	633
Indians	212
Malays	461
Other Mohammedans	144
Actual strength	1,599

84. The proportion of the whole force to area and population is:

	Square miles.
To area	1 to 15.8
To population	1 to 2,187

3. FEDERATED MALAY STATES.

85. Since the federation of the States there has been a commissioner of police for all the States; the police force of each State is, however, separate and distinct.

In Perak the force consists of the following, with yearly salaries:

	Mexican dollars.
British deputy commissioner	3,600
British assistant commissioner	3,000
British chief inspector	2,100
British district inspectors, 4, at	1,500
British first-class inspectors, 4, at	1,200
British second-class inspectors, 4, at	960
Total, 15 British.	
Chief clerks, 2, at	660 / 1,500
Second clerk, 1, at	720
Third clerk, 1, at	600
Fourth clerk, 1, at	480
Fifth clerk, 1, at	360
Finance clerk, 1, at	1,200
Storekeeper, 1, at	360
Sikh native officers, 3, at	600
Sikh sergeants, 19, at	180
Sikh corporals, 18, at	156
Sikh lance corporals, 13, at	144
Sikh constables, 100, at	132
Sikh constables, 100, at	120
Sikh constables, 215, at	108
Total, 468 Sikhs.	
Malay sergeant-majors, 2, at	300
Malay sergeants, 17, at	180
Malay corporals, 13, at	144
Malay lance corporals, 13, at	132
Malay constables, 110, at	120
Malay constables, 147, at	108
Total, 302 Malays.	

Every year the number of Malays is increasing and the number of Sikhs decreasing; but in the mining districts, where the population is chiefly Chinese and at times disorderly, it will be always advisable to keep the latter on account of their finer physique and higher sense of duty.

In addition to the above there are 15 Malay orderlies, at $10 a month, attached to the British officials; 11 interpreters, with salaries varying from $12 to $50 a month, and 30 detectives (chiefly Chinese) with salaries from $10 to $18 a month.

86. In Selangor, where the mining element is not so turbulent as in Perak, although two-thirds of the population are Chinese, the police force is made up of—

British officers	8
Sikhs	32
Malays	535

The pay of the members of the force is very much the same as in Perak. The expenditure on the Perak police is $203,284, and of the Selangor police, $132,268, or a total for these two States of $335,552.

87. The proportion of the whole force to area and population is:

In Perak:		
To area	square miles	1 to about 10
To population		1 to about 400
In Selangor:		
To area	square miles	1 to about 5.2
To population		1 to about 300

4. THE STRAITS SETTLEMENTS.

88. The total strength of the force is 1,818, distributed as follows:

Singapore	813
Penang (including Province Wellesley and the Dindings)	797
Malacca	208

89. It consists of these nationalities:

Europeans	58
Sikhs	218
Malays and Klings	1,482
Chinese (detectives)	60

90. The following table represents the yearly pay of the various members of the force:

	Mexican dollars.
Inspector-general	5,400
House allowance	720
Clerk and interpreter	660
Second clerk	240
Messengers, 2, at $96	192
Punkah puller	72
Each superintendent	3,600–4,800
Each assistant superintendent	2,400–3,600
Chief inspectors	1,500
Inspectors:	
First class	1,200
Second class	960
Third class	720
Armorer	1,200
Drill instructor	720
European sergeants	600
European constables	480
Sikh sergeant-majors	360
Sikh sergeants	264
Sikh corporals	192
Sikh constables:	
First class	132
Second class	120
Recruits	108
Malay and Kling sergeant-majors	360–300
Malay and Kling sergeants	264–240
Malay and Kling corporals	192–168
Malay and Kling constables:	
First class	120
Second class	108
Recruits	96

91. The proportion of the whole force to area and population is:

To area	square mile.. 1 to 0.9
To population	1 to about 350

PART VII.—JUSTICE.

1. BURMA.

92. Magisterial and judicial duties are discharged by the commissioners of divisions and their civil subordinates, such as deputy commissioners of districts, assistant deputy commissioners, and myooks. Besides these officials there are in Burma only nine purely judicial officials, who either constitute an appellate court, or who are appointed to certain places where the judicial work is too much to be satisfactorily

performed by the general administrative officials. This system of having but few purely judicial officers is not only a great economy, but is found to work excellently well. Having regard to the large number of cases disposed of, the satisfactory result must be attributed in great measure to the people having complete confidence in the honesty of purpose and uprightness of the officials.

The laws administered are, moreover, for the most part the simple codes in force in India subject to local laws, regulations, usages, and customs, with simple codes of procedure; and as every official of the general administrative service has to pass an examination in law, the meting out of justice is found to proceed smoothly.

93. The yearly salary of the higher purely judicial officials is:

	Rupees.
Judicial commissioner (Upper Burma)	34,560
Judicial commissioner (Lower Burma)	36,000
Recorder of Rangoon	34,560
For the other judges	19,200–12,000

2. CEYLON.

94. The courts in Ceylon consist of the supreme court, district courts, courts of request, and police courts. Besides these there are the village tribunals and village councils.

The supreme court is presided over by a chief justice and consists of the chief justice and two other judges. These are the only judges in Ceylon who are not members of the civil service. The chief justice receives 25,000 rupees per annum, and each of the other two judges, 18,000 rupees.

The judges of this court go on circuit and exercise individually original jurisdiction in all criminal matters. They sit together as a court of appeal in all matters, civil and criminal, two constituting a quorum in the event of one being absent or unable to sit.

An appeal lies from their decision to the privy council in England in certain civil cases and under certain conditions, but the amount involved must, as a rule, exceed 5,000 rupees.

95. Within any district, a district court may be established by the governor with the advice of his council, and similarly in any division of a district a court of requests and a police court may be established.

The district courts are presided over by a member of the civil service specially appointed to discharge such judicial duties only, or where no such special official is appointed owing to the work of the district, including the judicial work, not being very onerous, by the government agent or district government agents.

These courts have full jurisdiction in civil and criminal matters.

96. Courts of request and police courts are presided over by civil servants in addition to their other duties. The former have jurisdiction over claims for wages to any amount, and over other civil matters where the amount in dispute does not exceed 100 rupees. The latter have a limited criminal jurisdiction. They can not inflict more than three months' imprisonment or a fine exceeding 50 rupees.

97. In criminal charges that are tried by a judge, assisted by a jury, the prisoner, if a Singhalese, has the option of having an English-speaking jury or a Singhalese-speaking jury, and if he be a Tamil, a Tamil-speaking jury or an English-speaking jury.

98. The law administered in Ceylon in civil cases is based on the Roman-Dutch law, modified by local ordinances, on the English law of evidence, and, in most cases, on English maritime and commercial law. Due attention has also to be given to Kandyan law, to the law of the natives of Jaffna, and to the Mahommedan code. When a question arises the local ordinances should be first looked at, and, where they are silent, then the other laws above mentioned should be applied.

In criminal matters the law is almost identical with the penal code of India.

The procedure is simple, and the people are satisfied with the general administration of justice in the island.

3. THE FEDERATED MALAY STATES.

99. Prior to 1896 the resident in each State had an original jurisdiction in capital cases and an appellate jurisdiction in criminal and civil cases. Owing to the increase of business in the courts in each State, and as a consequence of the federation of the four States in 1895, a federal judicial officer was appointed, called the judicial commissioner.

The judicial commissioner has in all the States original jurisdiction in capital cases and an appellate jurisdiction from the decisions of the senior magistrate of each State in civil cases, where the amount involved is $500 or over, and in criminal cases where the person convicted has been sentenced to a punishment of six months or over, or to a fine of $100 or over. The judicial commissioner is the only purely judicial officer in the States; the senior magistrates and the district magistrates are members of the civil service, but they have to pass examinations in law.

100. In each State there is one senior magistrate, who is, as I have said, a civil official. He has a full jurisdiction in all matters, civil and criminal, and he sits as an appeal court from the decisions of the district magistrate.

101. The district magistrates have a limited criminal jurisdiction and a somewhat extended civil jurisdiction. They hear appeals from the decisions of the "penghulus" in their districts.

102. It is the duty, too, of the district magistrate to see that proper steps are taken by the police to trace and capture criminals, for he is the official responsible for peace and good order, his judicial duties being only a small portion of his responsibilities as senior civil officer of his district.

103. The laws administered are the Straits penal code, which is very similar to the Indian penal code, and in civil matters the common law of England as modified by local ordinances, regulations, and so forth. Native laws and customs are always to be carefully considered and given weight to. The law of evidence is that prescribed by the Indian evidence act.

104. The salary of the judicial commissioner is 9,600 Mexican dollars per annum. For the salary of the civil officials see paragraph 59.

4. THE STRAITS SETTLEMENTS.

105. The courts for the administration of justice are the supreme court, court of requests, magistrates' courts, and justices' courts. The supreme court consists of a chief justice, with a yearly salary of 12,000 Mexican dollars, and three other judges, with salaries of 8,400

Mexican dollars. These are the only judicial officials properly so called, the other officials who administer justice being members of the civil service.

106. The Straits Settlements are governed under local ordinances and acts of Parliament that may not be inconsistent therewith. Many of the Indian acts have been adopted by the colony and are in force there, in particular the Indian penal code, subject to a few modifications. There is a civil-procedure code based on English procedure, but in a simplified form.

Supplementary memorandum to my memorandum of October 6, giving further particulars of the administration of India, by setting forth in detail various statistics (civil and military) regarding two provinces, namely, (*a*) the Northwestern provinces and Oudh, and (*b*) Burma, and adding a note on the provincial civil service (see memorandum, October 6, par. 13).

MONTAGUE KIRKWOOD.

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I.—AREA AND POPULATION.

The Northwestern provinces cover about 88,000 square miles and contain 35,000,000 people.

Oudh contains about 24,000 square miles and 12,700,000 people.

The united province of the Northwestern provinces and Oudh contains 112,612 square miles and has a population of 47,700,000. These figures are taken from the census of 1891, and as that census showed a gain of over 6 per cent on the census of 1881, it may be fairly assumed that the population is now over 50,000,000, or 444 inhabitants per square mile.

Burma has an area of 183,485 square miles, of which Upper Burma has 95,654 square miles and Lower Burma 87,831.

The population is now probably over 10,000,000. In 1891 it was 8,146,855. Taking the former figure, there would be 54 inhabitants per square mile.

II.—Legislative Councils.

1. NORTHWESTERN PROVINCES AND OUDH.

Number of councilors, 15 (7 official members, 8 nonofficial members).

PRESENT MEMBERS.

[The names italicized are those of nonofficial members.]

1. *The Hon. Baja Ramoal Sinh.*
2. *The Hon. Babu Sri Ram, Rai Bahadur.*
3. *The Hon. Lieut. Col. W. E. Cooper, C. I. E.*
4. The Hon. Mr. J. O. Miller, I. C. S.
5. The Hon. Mr. C. W. Odling, C. S. I.
6. The Hon. Mr. J. Hooper, I. C. S.
7. *The Hon. Pandit Bishambhar Nath.*
8. The Hon. Mr. H. F. Evans, C. S. I., I. C. S.
9. *The Hon. Mr. T. Conlan, Bar at Law.*
10. *The Hon. Baja Balwant Singh, C. I. E.*
11. *The Hon. Nawab Mumtaz-ud-danla Mahammad Faivaz Ali Khan.*
12. *The Hon. Maharaja Sir Partab Narayan Singh, K. C. I. E.*
13. The Hon. Mr. R. H. Macleod, I. C. S.
14. The Hon. Mr. J. S. Meston, I. C. S.
15. The Hon. Mr. D. T. Roberts, I. C. S.

2. BURMA.

Number of councillors, 9 (5 official members, 4 nonofficial members).

PRESENT MEMBERS.

[The names italicized are those of nonofficial members.]

1. The Hon. Mr. J. E. Bridges, I. C. S.
2. The Hon. Mr. E. S. Symes, C. I. E., I. C. S.
3. The Hon. Mr. C. G. Bayne, I. C. S.
4. The Hon. *Mr. A. Pennycuick, C. I. E.*
5. The Hon. *Mr. J. Macgregor.*
6. The Hon. *U. Gaung, C. S. I., Ex-Kinwun Mingvi.*
7. The Hon. *Hkun Saing, C. I. E., Sawbwa of Hsipaw.*
8. The Hon. Mr. C. E. Fox, Bar at Law.
9. The Hon. Mr. H. J. Richard, M. Inst., C. E.

III.—Civil Service.

1. NORTHWESTERN PROVINCES AND OUDH.

	Total number of officers (permanent).	Europeans (including Eurasians).	Natives.	Monthly pay.
(*a*) Indian civil service proper (including military and uncovenanted officers holding posts reserved for the members of the Indian civil service)				*Rupees.*
	[1]8	8	.....	2,916⅔
	[1]1	1	.....	2,000
	18	18	.....	2,250
	18	18	.....	1,833⅓
	8	8	.....	1,666⅔
	1	1	.....	1,200
	2	2	.....	1,000
	1	1	.....	800
	16	12	4	1,000
	6	6	.....	800
	24	22	2	700
	43	39	4	500
Total	146	136	10	
(*b*) Provincial civil service	4	1	3	800
	5	2	3	700
	9	4	5	600
	22	.....	22	500
	41	7	34	400
	36	2	34	300
	24	2	22	250
Total	141	[2]18	123	
(*c*) Subordinate civil service	32	.....	32	250
	47	.....	47	200
	64	.....	64	175
	63	.....	63	150
	2	.....	2	100
Total	208	.....	208	

[1] Commissioners of divisions. [2] Mostly Eurasians.

2. BURMA.

(*a*) Indian civil service proper (including military and uncovenanted officers holding posts reserved for members of the Indian civil service)				
	[1]8	8	.....	2,500
	8	8	.....	1,833⅓
	10	10	.....	1,666⅔
	10	10	.....	1,333⅓
	6	6	.....	1,200
	10	10	.....	1,000
	12	12	.....	700
	13	13	.....	600
	26	26	.....	450–500
Total	103	103	.....	
(*b*) Provincial civil service	1	1	.....	800
	2	1	1	700
	5	2	3	600
	17	9	8	500
	18	10	8	400
	23	14	9	300
Total	66	[2]37	29	
(*c*) Subordinate civil service	28	9	19	250
	47	8	39	200
	59	4	55	175
	136	10	126	150
	15	3	12	100
	7	.....	7	50
Total	292	[3]34	258	

[1] Commissioners of divisions. [2] Mostly Eurasians. [3] All Eurasians.

IV.—Military Forces: British and Native Troops.

	British.	Native.	Total.
I. Troops in the Bengal command	22,794	32,990	55,784
II. Troops in the Northwestern Provinces and Oudh	15,871	15,532	31,403
III. Troops in the Madras command	13,485	29,602	43,087
IV. Troops in Burma	4,520	7,793	12,313

Note.—The troops in the Northwestern provinces and Oudh form a part of the Bengal command, while those in Burma form a part of the Madras command.

Effective services.	Bengal command budget, estimate for 1899-1900.	Troops in Northwestern provinces and Oudh, approximate proportion.	Madras command budget, estimate for 1899-1900.	Troops in Burma, approximate proportion.
	Rupees.	*Rupees.*	*Rupees.*	*Rupees.*
1. Staff	1,947,580	1,213,154	1,569,110	478,256
2. Regimental pay, allowances, and charges	22,230,200	13,847,275	15,484,460	4,719,580
3. Commissariat and clothing establishments; supplies and services	11,768,170	7,330,437	8,318,440	2,535,416
4. Remount and veterinary establishments; supplies and services	2,126,200	1,324,417	641,920	195,653
5. Medical establishments; supplies and services	2,401,440	1,495,866	1,634,170	498,086
6. Ordnance establishments; stores and camp equipage	3,228,560	2,011,082	1,660,130	505,998
7. Barrack establishments; supplies and services	893,480	556,552	429,450	130,892
8. Minor and miscellaneous	545,880	340,030	833,630	254,085
Total	45,141,510	28,118,813	30,571,310	9,317,966

V—Prisons.

1. NORTHWESTERN PROVINCES AND OUDH.

Nature of appointment.	Number of officers (permanent).	Monthly pay.	Number of Europeans, including Eurasians.	Number of natives.
		Rupees.		
Inspector-general	1	1,833.5.4	1	.....
Superintendents:				
Central jails	1	1,200	6	.....
	5	700–950		
District jails	8	[1]150	([2])	.....
	19	[1]100		
	11	[1]75		
	[3]6	[1]50		
	4	[1]20		
Jailors:				
Central jails	2	250	([2])	.....
	2	225		
	2	200		
	1	100	.....	6
	2	75		
	3	50		
District jails	11	100	.....	45
	13	75		
	19	50		
	2	35		
Deputy jailors:				
Central jails	6	25	.....	6
District jails	12	25	.....	36
	24	20		
Assistant jailors:				
Central jails	3	175	.....	6
	3	150		

[1] Amount of allowance given to civil surgeons of district for charge of district jails.
[2] Varies.
[3] One of them is superintendent of the reformatory school.

1. Northwestern provinces and Oudh—Continued.

Nature of appointment.	Number of officers (permanent).	Monthly pay.	Number of Europeans, including Eurasians.	Number of natives.
		Rupees.		
Warders:				
Central jails	3	125	.....	441
	3	100		
	4	50		
	6	25		
	12	20		
	12	15		
	14	12		
	73	10		
	83	9		
	120	8		
	37	4		
	74	3		
District jails	1	20	.....	1,474
	41	15		
	6	12		
	172	10		
	65	9		
	195	8		
	714	7		
	51	6		
	96	4		
	133	3		
Lockups	2	10	.....	13
	2	8		
	1	7		
	7	6		
	1	4		
Reformatory school	2	15	.....	14
	12	8		
Native doctors and compounders:				
Central jails	1	60	.....	65
	1	55		
	2	35		
	1	30		
	4	25		
	3	20		
	1	15		
	2	12		
	2	10		
	1	8		
District jails	3	55	.....	.....
	11	35		
	1	30		
	26	25		
	3	20		
	2	10		
Reformatory school	1	15	.....	.....
Clerks:				
Attached to inspector-general's office	1	350	1	13
	1	125		
	1	110		
	2	70		
	2	60		
	1	50		
	4	40		
	1	35		
	1	30		
Central jails	6	50	.....	45
	6	30		
	1	20		
	9	15		
	6	12		
	5	10		
	12	4		
District jails	1	50	.....	170
	12	40		
	32	30		
	26	15		
	16	12		
	1	10		
	59	4		
	23	3		
Reformatory school	1	150	.....	2
	1	30		
Teachers:				
Central jails	6	20	.....	6
Reformatory school	1	20	.....	9
	6	15		
	2	10		

1. Northwestern provinces and Oudh—Continued.

Nature of appointment.	Number of officers (permanent).	Monthly pay.	Number of Europeans, including Eurasians.	Number of natives.
		Rupees.		
Servants:				
Inspector-general's office	1	10		8
	1	7		
	3	6		
	2	5		
	1	2		
Central jails	2	8		
	2	6		
	3	4		
District jails	4	8		9
	2	7		
	1	6		
	1	5		
	1	3		
Lockups	2	8		8
	1	7		
	5	5		
Reformatory school	7	5		7

2. BURMA.

Inspector-general[1]	1	2,000	1	
Superintendents:				
Central jails	2	700–950	2	
	[2]4	250	2	2
District jails	[3]2	150	2	
	[3]3	100	2	1
	[3]4	75	4	
	[3]16	50	11	5
Reformatory school	1	200–250		
Jailers:				
Central jails	2	250–400	2	
	5	160–250	5	
	2	110–160	2	
	9	80–110		[4]
	16	50– 80		
	12	40– 50		
District jails	1	160–250	1	
	11	110–160	7	4
	12	80–110		[4]
	19	50– 80		
	18	40– 50		
Native warders:				
Central jails	3	35– 40		869
	3	30– 35		
	6	25– 30		
	14	20– 25		
	42	16		
	100	14		
	166	12		
District jails	1	30– 35		
	4	25– 30		
	21	20– 25		
	72	16		
	158	14		
	266	12		
Reformatory school	1	15– 20		
	12	14		
Establishment of inspector-general's office:				
Superintendent	1	300–350		
Clerks	2	150–200		
	1	150		
	1	100		
	1	80		
	4	60		
	1	50		
	2	40		
Servants	1	16		
	5	12		
	1	8		
Hospital assistants: Central jails	8	92½		
	6	92½		

[1] This officer is also head of the medical department, to which department his pay is charged.
[2] These are civil surgeons holding collateral charge of central jails.
[3] These are civil surgeons in collateral charge of district jails.
[4] Varies.

1. Northwestern provinces and Oudh—Continued.

Nature of appointment.	Number of officers (permanent).	Monthly pay.	Number of Europeans, including Eurasians.	Number of natives.
		Rupees.		
Teachers: Reformatory school	1	50–75		
	2	50		
	1	30–40		
	1	25		
Engine driver: Central jail	1	50		

VI—Forestry.

List showing the number of permanent officials employed in the forest department of the Northwestern provinces and Oudh and Burma.

Branch of service.	Class.	Grade.	Monthly pay.	Northwestern Provinces and Oudh.			Burma.		
				Europeans.	Number natives.	Total.	Europeans.	Number natives.	Total.
			Rupees.						
Imperial	Conservator	1st	1,600	1		1			
	do	2d	1,350	1		1	1		1
	do	3d	1,100	1		1	3		3
	Deputy conservator.	1st	900	2		2	5		5
	do	2d	800	2		2	5		5
	do	3d	650	4		4	11		11
	do	4th	550	4		4	10		10
	Assistant conservator.	1st	450	3		3	7		7
	do	2d	350	2		2	5		5
Total				20		20	47		47
Provincial	Extra deputy conservator.	4th	450				2		2
	Extra assistant conservator.	1st	350		1 2	1			
	do	2d	300	[1]1	3	3	[1]3		3
	do	3d	250		2	3	[1]3		3
	do	4th	200	[1]1		3	[1]13	2	15
Total				2	8	10	21	2	23
Subordinate	Rangers	1st	150		2	2	[1]3	1	4
	do	2d	125		2	2	[1]2		2
	do	3d	100	[1]1	5	6	[1]5	10	15
	do	4th	80	[1]1	9	10		11	11
	do	5th	60	[1]1	12	13		14	14
	do	6th	50	[1]4	13	17		19	19
	Deputy rangers	[2]3	30–40		30	30		102	102
	Foresters	[2]4	14–20		24	24		115	115
	Guards	[2]5	6–12		407	407		407	407
				7	504	511	10	679	689
Office	Clerks	[3]	[4]15–200 [5]25–350	1	58	59	[1]3	92	95
	Menials	[3]	[6]6		45	45		109	109
			[5]8–20	1	103	104	3	201	204
Grand total				30	615	645	81	882	963

[1] These are statutory natives, though of European extraction.
[2] Grades.
[3] Various.
[4] Northwestern Provinces and Oudh.
[5] Burma.
[6] Average.

VII—Education.

1. NORTHWESTERN PROVINCES AND OUDH.

Nature of appointment of service.	Number of officers (permanent).	Monthly pay.	Number of Europeans, including Eurasians.	Number of natives.
		Rupees.		
Indian educational service	12	[1]1 on 2,000	12	.....
		1 on 1,250–1,500		
		2 on 1,000–1,250		
		4 on 750–1,000		
		4 on 500– 700		
Provincial educational service	24	1 on 700	8	16
		1 on 600		
		6 on 400		
		2 on 350		
		4 on 300		
		3 on 200– 250		
		7 on 200		
Local headmasters of Tilla school	32	2 on 300	3	29
		1 on 250		
		8 on 200		
		5 on 150		
		1 on 130		
		7 on 125		
		8 on 100		
Principal training school	1	1 on 250	1	.....
Headmasters of normal schools	4	1 on 175	.....	4
		1 on 150		
		1 on 125		
		1 on 100		
Headmaster industrial school	1	1 on 100– 150	.....	1

[1] Includes post of director of public instruction.

2. BURMA.

Superior grades of educational department	5	[1]1 on 1,250–1,500	5	.....
		2 on 750–1,000		
		1 on 500–1,000		
		1 on 500– 700		
Assistant inspectors	3	3 on 250	.....	3
Deputy inspectors	35	8 on 200	1	34
		7 on 150		
		20 on 100		
Subinspectors	2	2 on 50	.....	2
Principal amalgamated high and normal school	1	1 on 500– 650	1	.....
Headmasters of high and middle schools	6	2 on 300– 400	6	.....
		4 on 250		
Headmaster normal and practicing school	1	1 on 250	1	.....
Headmaster Government engineering school	1	1 on 300	1	.....
Editor vernacular school text-books	1	1 on 250	1	.....
Rangoon College	7	1 on 750–1,000	5	2
		3 on 600– 750		
		1 on 450– 550		
		2 on 100– 150		

[1] Includes post of director of public instruction.

VIII—Customs (Burma).

Statement showing the number of permanent officials employed under the customs department in Burma, with their nationality and pay.

Number of appointments.	Designation.	Nationality.	Monthly pay in—
			Rupees.
1	Collector of customs, Akyab	European[1]	[2]200
1	Head assistant and appraiser, Akyab	do	300
2	Clerks, Akyab	Native	[3]70
1	Cashier, Akyab	European	50
	Preventive officer:		
1	First grade, Akyab	do	150
1	Third grade, Akyab	Native	100
2	Fourth grade, Akyab	1 European and 1 native.	[3]80
1	Collector of customs, Moulmein	European	[2]200
1	Assistant collector of customs and superintendent preventive service, Moulmein.	do	350
1	Head clerk and appraiser, Moulmein	do	200
1	Clerk, Moulmein	Native	120
1	do	European	100
1	do	do	85
1	do	do	70
1	Cashier, Moulmein	Native	50
	Preventive officer:		
1	Second grade, Moulmein	European	120
3	Third grade, Moulmein	do	[3]100
3	Fourth grade, Moulmein	do	[3]80
1	Collector of customs, Bassein	do	[2]200
1	Head clerk and appraiser, Bassein	do	120
1	Second clerk, Bassein	do	70
1	Inspector, preventive service, Bassein	do	150
2	Preventives, Bassein	Europeans	[3]80
1	Clerk and preventive officer, Kyouk-phyu	Native	50
1	Clerk and preventive, Mergui	European	120
1	do	Native	30
1	Preventive officer, seventh grade, Mergui	European	20
1	Clerk, Victoria Point	Native	40
1	Chief collector of customs, Rangoon	European	1,250-1,500
1	Assistant collector and superintendent preventive service, Rangoon.	do	400–600
1	Superintendent, Rangoon	do	400–500
1	Clerk, Rangoon	do	225
1	do	do	175
3	do	do	[3]150
4	do	3 Europeans and 1 native.	[3]120
5	do	4 Europeans and 1 native.	[3]100
9	do	6 Europeans and 3 natives.	[3]85
9	do	2 Europeans and 7 natives.	[3]70
1	do	Native	50
1	Head cashier, Rangoon	do	150
1	Assistant cashier, Rangoon	do	50
1	Potdar, Rangoon	do	20
1	Head appraiser, Rangoon	European	500
1	Second appraiser, Rangoon	do	400
1	Third appraiser, Rangoon	do	300
1	Fourth appraiser, Rangoon	do	250
1	Fifth appraiser, Rangoon	do	200
1	Sixth appraiser, Rangoon	do	150
1	Weighman, Rangoon	Native	50
1	Warehouse keeper, Rangoon	European	150
	Inspector:		
1	First grade, Rangoon	do	275
1	Second grade, Rangoon	do	225
2	Third grade, Rangoon	do	[3]200

[1] European in this list includes Eurasians.

[2] The collector of customs at these places, who are also port officers, draw their pay of rank in the royal Indian marine (350, 400, or 500 rupees) with a staff allowance of 320 rupees a month. In each case 200 rupees a month is debitable to provincial for customs duty, and the balance is payable by the port funds concerned. The pay of rank of the present officers per month is shown below:

	Rupees.
Akyab and Bassein	400
Moulmein	500

[3] Each.

Statement showing the number of permanent officials employed, etc.—Continued.

Number of appointments.	Designation.	Nationality.	Monthly pay in—
	Preventive officers:		*Rupees.*
4	First grade, Rangoon	European	[1] 150
5	Second grade, Rangoon	do	[1] 120
12	Third grade, Rangoon	do	[1] 100
7	Fourth grade, Rangoon	do	[2] 80
4	Patrol officers, Rangoon	do	[1] 150
1	Customs clerk, Sandoway	Native	25
1	Customs clerk, Tavoy	European	100
1	Preventive officer, Tavoy	Native	40
1	do	do	30
2	do	do	[1] 20
	European (including Eurasians)		93
	Native		31
	Total		124

[1] Each.

IX.—Provincial Civil Service.

Admission to the provincial civil service is done either by the appointment of persons not already in government service or by promotion from the subordinate civil service.

The following are the qualifications generally regarded as indispensable in the case of a person to be appointed to office who is not already in the government service:

(1) That he is a natural-born subject of Her Majesty the Queen and Empress, or a subject of a native prince in alliance with Her Majesty.

(2) That he has resided in the Province for at least three years and has a thorough knowledge of the vernacular.

(3) That he is not under 20 nor over 25 years on his last birthday.

(4) That he is of sound health, good physique, and active habits.

(5) That he is of good character.

(6) That he possesses a minimum educational qualification equivalent to the entrance standard of an Indian university.

Nominations for appointments have generally to be obtained from certain high officials of the Province and the candidates nominated have to furnish the following particulars:

(1) Name.

(2) Date and place of birth.

(3) Period of residence in the Province.

(4) Nationality.

(5) Father's name, caste or religion, occupation, residence (if living).

(6) Names of near relations in government service, if any, and appointments held by them.

(7) Schools or colleges at which educated and for what periods.

(8) Full particulars as to educational qualifications in English and in the vernacular, and degrees taken by the applicant.

(9) Character and conduct supported by certificates of schoolmasters or other responsible officials of government.

(10) Particulars as to health, habits, and physique, and if able to ride or not. These to be supported by the statements of two responsible persons not related to the candidate.

In making appointments to the provincial civil service (in cases other than those of promotion from the subordinate civil service) preference among those nominated and who possess the essential qualifications is given to natives of and persons domiciled in the Province, and special preference to those who are (*a*) members of families of tried loyalty and distinguished service and of good social status and influence in the country; (*b*) of superior educational attainments.

It will be observed that the desire of Government is so far as possible to have all posts in the provincial civil service filled by natives of good standing and position. In the statistics furnished of the members of the provincial civil service of the Northwestern Provinces and Oudh and of Burma, nearly all those coming under the heading of Europeans (including Eurasians) are Eurasians.

Exhibit IX.

COMMUNICATION WITH RESPECT TO A DEPARTMENT OF HEALTH IN THE PHILIPPINES.

Headquarters Second Division, Eighth Army Corps,
Office Chief Surgeon,
San Fernando, Philippine Islands, August 17, 1899.

Gentlemen: A recent issue of one of the local newspapers contains an invitation to those interested to forward to your honorable commission any fact, opinions, or suggestions relating to the establishment of a form of government best adapted to the people of the Philippine Islands, and in compliance with the invitation I take the liberty of submitting the following.

Many of the customs, habits, and pleasures that the natives have been accustomed to and that have been legitimatized in the Orient for centuries should not be radically changed or prohibited for many years to come. I refer more particularly to cock fighting, gambling, the use of opium, and prostitution. These can all be tolerated and allowed under proper restriction, inspection, and regulations, but can never be prohibited. The attempt to prohibit will simply encourage the people to disobey the laws, scatter the evils (so-called by Americans) along the highways and byways, and the government will be minus a large source of revenue. Civil government and laws should supplant military rule as soon as possible after the present war is ended. All machinery, material, or live stock, etc., imported from the United States for the exploitation of plantations or manufacturing in the islands should be exempt from duties and also taxation for a certain number of years.

The fact that the white man can not successfully perform manual labor in this climate, and that the Chinese are more reliable in this respect than the native, should not be overlooked.

According to the Compendio de Geografia, by P. Francisco Buranera, S. J., translated by Alexander Laist, the Philippine Archipelago has a population of about 9,000,000 people—one city of which contains over 250,000 inhabitants, 30 with over 20,000, and 109 with over 10,000 each. As near as I can learn, with the exception of Manila and a very few of the other larger cities, very little attention has been paid by the authorities to sanitation, hygiene, or the prevention of preventible diseases. Smallpox is prevalent everywhere, and in this latitude and longitude is very fatal, especially to whites. With the complete systems of vaccination and isolation obtaining in the United States the dangers of this dreaded scourge are there reduced to a minimum, and

there is no good reason why the same conditions should not prevail here in a few years. The question of public health in our new possessions is certainly one of the most if not the most important to be considered when peace is finally established, and modern sanitary science should be introduced in no uncertain way, regardless of expense. It should be taught in the schools, and every man, woman, and child in the archipelago vaccinated and revaccinated when necessary. If the same amount of public funds are expended for the public health that are usually appropriated for either police or fire protection the results will soon speak for themselves, and these beautiful islands from a healthful standpoint will be second to none in similar latitudes. But in order to bring about the desired result much attention should be given at the beginning to inaugurating, establishing, and maintaining a most complete department of health at the center of government, presumably Manila, modified forms of which can and should be introduced into all smaller cities, towns, villages, and rural districts.

Herewith follows what I believe, from ten years' experience as a practical sanitarian, to be the best outline or skeleton for the organization of the central or general department of health.

The personnel of the department of health should consist of the following administrative officers and executive heads of different sections: The commissioner of health, the assistant commissioner of health, the sanitary engineer, and attorney. Sections: Officer in charge of section of general inspection; officer in charge of section of sanitation; officer in charge of section of contagious diseases; officer in charge of section of laboratory work; officer in charge of section of vital statistics; local inspectors, sanitary police, clerks, stenographers, watchmen, nurses, cooks, drivers, foremen, laborers, etc.

The board of health should consist of the commissioner of health (who should be a physician of regular practice, president of the board, and chief executive officer of the department), the sanitary engineer, and the attorney.

The assistant commissioner should be secretary of the board, and the engineer and attorney may be the general city engineer and attorney, this board being in addition to their regular duties.

The assistant commissioner of health and the chief inspector of the department should each be a physician of regular practice.

The duties of the chief inspector should be to inspect at regular or special intervals each of the departments of health in the Archipelago and make regular or special reports, with recommendations incident thereto, as required by the board.

The section of sanitation should have jurisdiction over the following: Cleaning of streets, walks, alleys, etc.; collection and disposition of garbage, dead animals, night soil and contents of cesspools; sanitary inspection of houses, vessels, factories, schools, prisons, abattoirs, dairies, meat shops, bakeries, public water supply, wells, cisterns, etc.

Section of contagious diseases should have jurisdiction over smallpox, leper, cholera, yellow fever, detention or other contagious disease hospitals, quarantines, steam or other disinfecting plant, the vaccine farm, and general systematic vaccination; the systematic registration, examination, and certification of prostitutes.

The laboratory section should be equipped to perform bacteriological, microscopical, pathological, and chemical (medico, legal or otherwise) services that any become necessary,

The section of vital statistics should keep correct and systematic records of births, deaths, and marriages, issuing all marriage and burial permits, statistics of schools, factories, hospitals, asylums, prisons, etc.

In selecting the personnel great care should be observed. The administrative officers, heads of sections, and many of the subordinates must, for a number of years at least, for obvious reasons, be whites. Competent, efficient men who have served with good records in the volunteers during this war desiring to remain on the islands should be given the preference. Better salaries should be paid both the military and civilians serving in the Tropics than for similar duties in the United States. A system of small fees can be arragned and collected for certain portions of the vast amount of inspection or other service controlled by the board of health, scarcely felt by the public, yet almost, if not entirely, paying the expense of the department.

I can prepare and present on reasonable notice and time a very complete file of laws and ordinances suitable for the Tropics, covering the organization, maintenance, and regulations for a department of health, with or without fees.

I would recommend that, before these and other exceedingly important questions bearing upon the anticipated government here are eventually decided upon and presented to Congress for final action, a commission be sent to examine carefully into the different systems and methods now used by the English and Dutch in controlling their present oriental possessions, and report on same, thereby getting the cream of their years of valuable experience that, with the usual American enterprise, may possibly be improved upon.

During an active military service of about nine months in the Philippines in the Medical Department I have met and interviewed a great many people, both natives of the country and foreigners that have resided here for many years, and the information gleaned from them, together with my personal observation, has led me to make the few suggestions contained herein extraneous to sanitary matters. While realizing that I have presented nothing new, I shall hope that this communication may be of some practical value in assisting you with your final report.

I have the honor to remain, very respectfully, your obedient servant,

HENRY F. HOYT,
Major and Chief Surgeon, U. S. V.

Hon. PHILIPPINE PEACE COMMISSION,
Manila, Philippine Islands.

JACOB GOULD SCHURMAN.
GEORGE DEWEY.
CHARLES DENBY.
DEAN C. WORCESTER.

JOHN R. MACARTHUR,
Secretary.

ANNOUNCEMENT.

CONTENTS OF THE REMAINING VOLUMES OF THIS REPORT.

In Volume II the following subjects will be discussed:

1. Geographical situation, extent and limits of the Philippine Archipelago. Political divisions, with boundaries and important characteristics of each, as well as their products.
2. Hydrography (ports, bays, straits, gulfs, rivers, and lakes; hot springs and medicinal waters).
3. Orography (mountains and mountain chains, volcanoes).
4. Climatology.
5. Ethnography. Under this head will be given all available information concerning the various tribes, both wild and civilized.
6. Zoology, with special reference to useful animals and animal products.
7. Botany, with special reference to useful plants and plant products, such as timber, hemp, vegetable gums, etc.
8. Mineralogy, with special reference to valuable mineral deposits.
9. Seismology. The frequency and intensity of Philippine earthquakes, their geographical distribution, and their distribution in time.
10. Agriculture.
11. Commerce.
12. Marine and land communication.
13. Public domain.
14. Land tenure and hypothecation.
15. Public franchises.

Some other Special papers may be added.

This volume will be slightly delayed in order to allow time for the receipt of important written testimony now in transit.

Volume III and, if necessary, additional volumes will contain the testimony taken by the commission.

ATLAS ILLUSTRATING THE REPORT.

The commission has obtained from the observatory at Manila a series of thirty valuable maps, prepared under the immediate direction of the Jesuit fathers in charge of that institution. These maps

are believed to embody all existing geographic information concerning the various islands, and form a very important contribution to knowledge of the archipelago.

They make a comprehensive atlas of the group. They are at present in the hands of the engraver, and will appear shortly as a bulletin of the Coast and Geodetic Survey. They are as follows:

1. General map of the far east, showing the position of the Philippine Islands with reference to neighboring countries.
2. General map of the Philippine Archipelago.
3. Orographic map of the Philippine Archipelago.
4. Ethnographic map of the Philippine Archipelago.
5. Northern Luzon.
6. Central Luzon.
7. Manila and neighboring provinces.
8. Tayabas and Camarines provinces; Maranduque.
9. Albay and Sorsogon provinces.
10. North end of Luzon and Batanes, and Babuyanes Islands.
11. Catanduanes Island.
12. Mindoro and neighboring small islands.
13. Tablas, Romblon, Sibuyan, and neighboring small islands.
14. Masbate and Ticao.
15. Samar and neighboring small islands.
16. Leyte and neighboring small islands.
17. Panay and neighboring small islands.
18. Negros and neighboring small islands.
19. Cebu and neighboring small islands.
20. Bohol and neighboring small islands.
21. General map of Mindanao and neighboring small islands.
22. Mindanao, eastern portion.
23. Mindanao, western portion. Also Basilan and the Sulu Archipelago.
24. Palawan Island, northern portion, with the Calamianes and Cuyos groups.
25. Palawan Island, southern portion. Balabac.
26. Polillo Island and district of Infanta.
27. Manila Bay and vicinity.
28. San Juanica Strait (between Samar and Leyte).
29. Map showing the frequency and distribution of earthquakes in the Philippines.
30. The city of Manila.

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